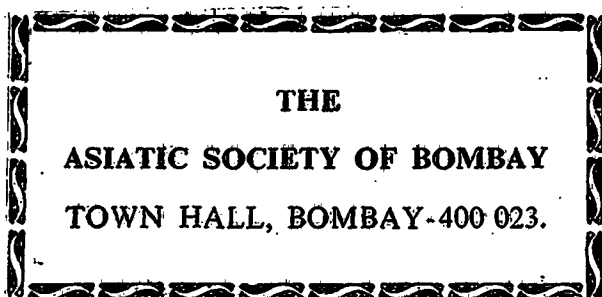




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CORRECTED REPORT

OF THE

S P E E C H

DELIVERED BY THE

RIGHT HON. GEORGE CANNING

IN THE

HOUSE OF COMMONS,

MARCH 1st, 1827,

27775

ON

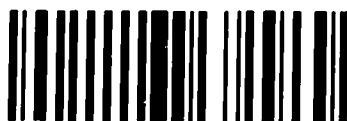
THE CORN LAWS.

LONDON ·

JAMES RIDGWAY, PICCADILLY.

1827.

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HACKING AND BAYLIE, JOHNSON'S-COURT, FLEET-STREET.

SPEECH.

2 &c. &c.

MR. CANNING moved, that the House should resolve itself into a Committee, to take into consideration the different Acts relating to the trade in Corn.

On the SPEAKER putting the question—

SIR EDWARD KNATCHBULL stated, that he had no objection to the House resolving itself into a Committee; but he begged that such assent on his part might not be understood as pledging him, with respect to any ulterior measures which might be proposed to the Committee for their adoption.

MR. SECRETARY CANNING replied, that of course it was impossible that the Hon. Baronet, by assenting to the motion, could be so pledged. He was aware, that the more regular course

would have been, to have given notice of this motion yesterday; but as that had been rendered impossible, in consequence of there being no House, he should now move (the Speaker having left the Chair), that the House do resolve itself into a Committee upon the Corn Laws.

This being done—

MR. SECRETARY CANNING then addressed the House to the following effect:—Before I open the propositions which it is my duty to lay before the Committee, I trust they will permit me to detain them a few minutes, while I express my grateful acknowledgments for the indulgence which they have lately extended to me. I do assure them, that I should neither have called for that indulgence, nor have been disposed to avail myself of it from considerations merely personal to myself; and certain I am, that there are those among the colleagues with whom I have the honour to serve, into whose hands a question of this nature might have been entrusted, with advantage greater than, I fear, it will prove to have been to mine. But, Sir, the reasons which have induced me to take upon myself this task, are simply these. Much as

the question upon which I am now to address the House has been agitated, and great as has been the inflammation of men's minds in respect to it, in this House and out of this House, it has been thought desirable that when the propositions of the Government on the subject should be brought forward in Parliament, they should be brought forward in that manner, which should most clearly indicate that they were the propositions of the Government at large, and not the emanations of a particular department. In the absence of my Right Hon. Friend the President of the Board of Trade, (whom severe indisposition prevents from attending in his place this day,) I can the more freely say it, that to his care especially this business would have been much better confided, if it had not been that the consideration, to which I have just alluded, induced me to allow it to be placed in my hands.

If this consideration was felt strongly in the beginning of the present Session of Parliament, when the first postponement of the question was proposed and freely acceded to by the House, undoubtedly it has derived additional strength from the late afflicting dispensation of Providence (of

which we are still, Sir, watching the issue with trembling anxiety), which deprives my Noble Friend at the head of his Majesty's Government, of the opportunity of appearing in his place in the other House of Parliament, to submit there, simultaneously, the same propositions which I am now about to state to this House to-night; and to vindicate to himself that share,—that paterality, I may rather say,—of a measure, which I know my Noble Friend was most anxious so to vindicate to himself; and upon the success of which he was resolved to stake (more than perhaps any Minister of this country, within my memory, has ever done upon any measure of such a nature)—that eminent reputation, which is naturally most dear, as well as most honourable to an individual in his exalted station,—and if necessary, that station itself.

It is, therefore, Sir, not less as the representative of my Noble Friend at the head of his Majesty's Treasury, than it is as the organ of his Majesty's Government in this House, that I bring forward the present propositions. I only hope, Sir, that I shall be able so to communicate them to the House as to prove not altogether an unworthy expositor of a

measure which I have derived from him, and of which he entrusted to me the charge.

In acknowledging, Sir, the disqualifications which I willingly admit that I labour under in bringing forward this measure, I must also confess that there is, perhaps, one qualification—minor and accidental—for the discharge of such a duty, to which I may, at the same time, lay claim. During the long and repeated discussions upon the Corn Laws, which have at different periods occupied the attention of Parliament, it has so happened that I have never taken any part. In the year 1815, when the question was first agitated here, I was absent from this country. In the year 1822, when it was again brought forward, it did happen also, that, from particular circumstances, my lot being then cast for a very distant destination, I was not in the habit of attending very assiduously in this House, and particularly upon the detailed discussions of the Corn Bill. With the single exception of a clause, which my situation, as member for Liverpool, occasioned me to bring in—a clause, which gave to the House, I am afraid, a great deal of trouble, under the name of the “*grinding clause*,” and which was proposed to be inserted in the

Bill in its progress through Parliament, with various success, at different stages of its discussion,—I took no part whatever in the Corn Bill of 1822.

True it is, also, that in the course of the last Session, I submitted to the House a Proposition for the temporary Opening of the Ports, under the pressure of particular circumstances; but on that occasion there was on all parts of the House, by common consent, an entire abstinence from all discussion on the general subject of Corn. I trust, therefore, that without any sort of merit of mine, I come to the discussion, uninfluenced by feelings or prejudices, to which, under different circumstances, I might have been liable. I come to this discussion without any prepossessions, without any pledges in favour of plans or proposals formerly suggested: and, at the same time, without any bias, without any predilection, still more without any acrimony, towards any of the parties, or opinions, concerned in those former discussions.

It does, indeed, surprise me, that into these discussions so much of hostile feeling should occasionally have found its way; first, because I feel that, as to the result, the differences are infinitely less between the parties, than

they have been stated to be in argument; and, secondly, because, various as the opinions are which have been brought forward on this subject, on different sides, I have never yet seen or heard the extreme opinion, upon either side, unequivocally and unconditionally supported.

The general question is, as to the introduction of Foreign Corn into this country. It is obvious, that the extreme opinion on one side, would be for perpetual, unmitigated prohibition. It is obvious, that the extreme opinion on the other side, would be for perpetual, unrestricted importation. Now, I have not yet met with any person who, by writing or in speaking, has maintained absolutely, and without qualification, either of these extreme opinions.

All between these extreme opinions, however different or distinct the intermediate stages may be, each from the other, are yet only questions of mode and degree—questions, in discussing which, I think—as in discussing many others—Gentlemen are apt to use arguments that rather go beyond their own meaning: but, between which, it can at least be said, that there is no impossibility of effecting an approximation. I

have never met with the advocate of a free trade in Corn, who, when pressed in argument, has not admitted, that, to the agricultural interest of this country, *some* protection must be given. I have never met, on the other hand, with the person who has carried his agricultural doctrines so high, as to say, that he was willing to risk all the consequences of an inflexible and unmitigated exclusion. On the one side, they who contend most loudly for the admission of Foreign Corn, allow, as I have stated, that a protection is due to our domestic agriculture. As to the mode—as to the amount—as to the degree—of that protection, there are many opinions; but, the principle that *some* such protection is due, I have never yet heard broadly denied. On the other side, those of the agricultural interest, who press the doctrine of prohibition most strongly, always qualify such doctrine, as to the preference to be given to our own agricultural interest, by the admission, or rather, indeed, by the argument, that, however peremptory the law, in that respect, may be, there will always remain in Parliament, or, (Parliament not sitting), in the Executive Government the power of allowing Foreign Corn to come in

to the aid of the country upon any special emergency.

Why, then, Sir, we have the admission on the one side, that our own agriculture is necessarily to be protected—we have the admission on the other side, that an unremitting exclusion of Foreign Corn is not the mode to be pursued with a view to that protection. Having these admissions upon the general principle, all the rest is, as I have said, a question of mode and of degree—a question that is, in what mode, and to what degree, shall that protection, to which the agricultural interest of this country is so admitted to be entitled, be extended?

The last few years have produced two or three distinct plans, in reference to the protection, which it is thus conceded on all hands it is necessary to afford to the agricultural interest. I may mention, in the first place, the one to which the authority of the late Mr. Ricardo's name is attached; another, which I believe originated with a Noble Lord, in the other House of Parliament; and a third, which I shall merely designate as that which comprises the doctrines of the more severe and theoretical of the political economists; and with which every body who

is at all acquainted with the periodical literature of the age, may be supposed to be conversant.

These three plans, the Committee will observe, have been devised by persons the most generally favourable to a free trade in Corn; which plans, nevertheless, not only admit the necessity of protection to the landed interest, but specify the mode and degree in which, according to the notions of those persons, that protection should be administered. One of these plans is to impose a duty of twenty shillings per quarter on Corn. (When, in the course of this argument, I say Corn, I speak of Wheat. The duties on the other species of grain follow, of course, in due proportion.) I say, by one of these plans a duty of twenty shillings per quarter on Wheat imported, was to be imposed, without reference to price; such duty to be diminished yearly, until it was reduced to five shillings or ten shillings the quarter; at one of which mitigated rates that duty was to be permanent.—The second plan, which was devised by a Noble Lord, as I have said, in the other House, differed from that of Mr. Ricardo in this respect, that it proposed to begin the scale of protection at a duty of sixteen shil-

lings, to be diminished gradually to ten shillings, and at that rate to be rendered permanent. The last plan to which I have referred, and that which is the most recent, is, to lay a duty, once for all, of five or six shillings per quarter, without reference to price, which duty is to be of permanent duration; but with this provision, that, in case of a great extremity of pressure from a defective supply of our markets, it might be doubtful whether such permanent duty should not be relaxed.

Now, Sir, my objection to each of these three plans, is comprised in the very case supposed of the possible occurrence of such a pressure: viz. that when that pressure comes, each or any of these plans, if adopted, would prove delusive to the agricultural interest. Sir, it is quite impossible to suppose, that, in a state of extreme pressure, with famine in your streets, in your workshops, and your cottages, the Government could continue to levy any such duty, whether of five shillings or of ten shillings, at the out-ports, on the importation of Foreign Corn. Either the Parliament, if sitting, would feel itself bound to interfere, under the pressure of such an emergency, and would suspend such duty; or, if Parliament were not sitting, the Exe-

cutive Government would assume the discretion to suspend it. The objection, therefore, to this mode of protection seems to be, that it does not answer its purpose; that it admits, indeed, the principle of protection, but does not carry it, in all cases, into effect.

On the other hand, Sir, what is the qualification which they, who contend, in supporting their side of the question, for perpetual prohibition, propose? They are for perpetual prohibition, mitigated only by the occasional interference of Parliament, or the Executive Government. They appeal from legislation to discretion—they are unwilling to take that step now, which their own admission, that it may be to be taken hereafter under the pressure of necessity, clearly shews that they contemplate, as probable; and they either impose upon Parliament the duty of legislating under a dire emergency, or upon the Executive to exercise a discretionary power of suspending that prohibition, which prohibition they contend Parliament ought, in the first instance, to enact.

From these extremes, I turn, therefore, to more practical questions. What is the degree of protection that ought to be given to our

domestic agriculture? Do the laws, as they are now expressed, afford the precise degree of protection which is desirable? Do they afford it in the best mode? Do they afford it to a proper or to an unnecessary extent?

The Law of the year 1815, introduced for the first time, into the legislation of this Country, upon the subject of Corn, and its importation from Foreign Countries, the principle of absolute prohibition—I say, Sir, for the first time; and, so far as I know, it was the first time, with only one exception. It does appear, indeed, upon some researches which have been prosecuted into this subject, that (long anterior to the Act of 1815—in the time, indeed, of Edw. IV., some three centuries and a half ago) a law was passed; the substance of that law, I collect to have been as follows:—That, whenever Wheat should be at a certain price in this country, not only should Foreign Wheat be excluded from coming into the kingdom at all, but that the Wheat grown in the neighbourhood of one town in England, should not be transmissible to another town, where a difference in the price of that commodity prevailed. I need hardly observe, Sir, that I mention this law only because, if I were to say, with-

out qualification, that, in 1815, the Legislature for the first time introduced this principle of prohibition with respect to the Corn Trade, I should be liable to be contradicted upon the fact. But, while I am thus citing that ancient law to the House, and very shortly stating its contents, I apprehend that it cannot be very necessary for me to enter into any arguments upon them—such a precedent is not calculated, at this time of day, to weigh much with the House or with the country.

In the year 1815, then, the principle of absolute prohibition, up to a certain point, was adopted by the Legislature, and this principle, Sir, was qualified by the opposite principle of unrestricted importation. It does appear to me, on a calm review of the character of that Act of Parliament—(not at all pretending, that if I had happened to be among those, from whose deliberations that measure proceeded, I should have been at all wiser than my neighbours)—it does appear to me, Sir, as if this was an experiment to combine the most opposite principles in one and the same act of legislation. In the act of 1815, Sir, here is absolute prohibition, up to eighty shillings; but the moment

you turn the point of eighty shillings, you arrive at unlimited importation.

Now, what was the consequence of this measure? Not that the extreme forces produced, by their operation, a mean power, and went on amicably together; but that, each in its turn prevailed with its own peculiar mischief—and that you had, within the extent of seven years, from 1815 downwards, every result that could deter men of observation and experience, from ever resorting again to the principle either of absolute prohibition, or of unlimited importation; and, most undoubtedly, from any attempt to unite again the two together.

Let us now inquire what was the operation of this law? It passed, as I have said, in 1815. I say nothing at present of price; I shall come to the consideration of that point presently. The law of 1815, imposed absolute prohibition up to the price of 80s. The harvest of 1816, it is well known, was one of the most unfavourable that this country ever experienced. It was known to be so, as early as the beginning of August in that year. It was on the 15th of August, 1816, that that average of prices was to be prepared, which was to govern the question of ex-

clusion on the one side, or importation on the other, for the next three months. On the 15th of August, the price of Wheat was above the importing price of the law of 1815; but it had not been so for a sufficiently long period, to give an average price above the importing price. The result was, therefore, that the ports remained closed during three starving months from August to November, 1816; and did not open until the 15th November of that year, after the price had been for about fifteen weeks, above the importing price, and when all the northern ports of Europe were shut against supply. The ports opened in November 1816, and remained open till the November of the following year; when they closed, the average price being less than eighty shillings by the fraction of *five-pence*. The harvest of the year 1817 having been nearly or quite as bad as that of 1816, we had again a scarcity of supply, but the ports thus closed in November, 1817, of course did not open until February, 1818.

Although the harvest of that year (1818) was most abundant, not only in this country, but in all the corn-growing countries of Europe; yet, by some accident, or by some contriv-

ance, the ports were continued open on the 15th of November 1818, by a fraction of *two-pence* : and by consequence, for the next three months, from November 1818, to the quarterly average of February, 1819, an extraordinary influx of Foreign Corn continued to inundate the country, already inundated by a plenty of its own growth ; prices were in consequence depressed to an extraordinary degree. Indeed, the effect of these three months' importations, produced, as I have said, by a fractional difference of *two-pence*, was felt in the depreciation of the market for the three succeeding years.

Thus by the system of 1815, the ports were shut when the supply at home was deficient, and when the introduction of foreign grain was loudly called for—and opened when the home market was glutted, and when it was most expedient to shut out foreign supply : and the one operation and the other were produced by fractions of *five-pence* and of *two-pence* respectively.

The consequence, then, Sir, of setting these two extreme principles in action, of setting them in conflict with each other, was this—that each class of the community in its turn became a sufferer ; and

that each class applied to this House for relief. We all remember what the summer of 1817 was. And any hon. gentleman who will take the trouble of turning back to the journals of this House, will see with what hundreds of petitions our table was loaded, in the years 1819, 1820, and 1821, when the agricultural interest was suffering from the extraordinary fluctuation of prices. The extreme difference of prices during the period for which this system was in operation, that is, from 1815 to 1822, was no less than this—on the one hand, 112s. per quarter (this was in the year 1817)—on the other hand 38s. (this was in 1822), a fluctuation being no less than seventy-four shillings per quarter!

In 1822, the House listened to the prayer of the agricultural interest, and the law of 1815 was revised. Of that revised law, it may be sufficient to say, that it has never come into operation. It was, nevertheless, in one respect, materially different from the law of 1815. It called duty to its aid; it gave up as a principle, unlimited prohibition, and contemplated a price at which Foreign Corn might be admitted, under a protecting duty. It admitted importation at eighty shillings first, and afterwards at se-

venty shillings, at a duty first of seventeen shillings, and afterwards of twelve shillings. But to that revised law was annexed or prefixed a clause, which stood as an outwork, as it were, to prevent the body of the law from being ever approached. This clause retained the provision of the law of 1815, that importation should be prohibited up to the price of eighty shillings; the consequence of which was, and still is, that we live now as much under the operation of the original provision of exclusion up to eighty shillings, as if the law of 1815 still continued unaltered. The result, then, of the alteration of 1822, has been perfectly null, for the revised law has never come into operation at all.

If, then, unlimited prohibition, or if unrestricted importation, whether singly or jointly, do not afford the proposed protection to agriculture in an unexceptionable manner, and if it be admitted that duty is the better mode of protection, let us now consider the question of duty. Can any *fixed* duty ever be effectual to answer its own purpose? Take, if you will, Mr. Ricardo's plan; or either of the two other plans to which I have called the attention of the

Committee, or take either of the duties proposed by the act of 1822, that of seventeen shillings, or that of twelve shillings; and let it be fixed and invariable,—and then see how it will operate. Let us suppose the duty of twelve shillings to be in question. We find Wheat to have been in one year, one hundred and twelve shillings per quarter: consider what an aggravation an addition of a duty of twelve shillings would be of the sufferings of the community, from the high price of Corn. In another year, we find the price of the quarter to be seventy-four shillings less: consider how small would be the protection to the agriculturist from a duty of twelve shillings added to thirty-eight shillings.

It seems perfectly clear, therefore, that a duty, to be effectually a protection on the one hand, and not an undue burden on the other, must vary with the price of Corn. The average of prices, for twelve years immediately preceding 1815, was eighty-four shillings and five-pence. The average of the first six years of this period of twelve years, was seventy-two shillings and two-pence. The average of the six years immediately preceding 1815, was ninety-eight

shillings and six-pence. Now, the price assumed by the law of 1815 was eighty shillings.—This price was taken upon the consideration, no doubt, that as the war was then at an end, much was to be deducted from the price, on account of the cessation of the war expenditure. I think, upon the whole, that that price was fairly chosen: and I mean to affix no blame upon the law of 1815, in this respect.

The average price of Corn for the twelve years, from 1815 to the last year, was sixty-four shillings and eleven-pence.

The average price, for the six years following 1815, was seventy-four shillings and two-pence.

And the average of the last six years of this period, from 1820, was fifty-five shillings and nine-pence.

In the year 1822, the permanent price assumed was seventy shillings. I am not disposed to quarrel with it, although it is to be observed, that it goes upon a very different state of things from that which had governed the law of 1815; for it is to be remembered, that the reduction of taxation and of the public expenditure had produced,

in 1822, a considerable difference in the condition of the country.

If it be considered that, in addition to the diminution of expenditure and reduction of taxation which I have just noticed, there was, in the year 1819, another material change effected in the state of the country by the Act which restored the value of the currency, I think it will be allowed that on the very same principles on which, in the year 1822, the price of seventy shillings may have been a proper one, sixty shillings would, for all purposes of justice and equity, to all parties, be sufficient at this moment.

Sixty shillings is the medium between the average of the last twelve years, and the average of the last six years of that period; it is the exact average of the last four years. Is it not fair, therefore, to consider this as the price, to which the protection of the agricultural interest should be limited, and which Parliament, looking to the principle of its former legislation on the subject, would be justified in fixing? My Noble Friend, whose researches, and opportunities of inquiring into this subject, have been much

more laborious and ample than my own, was of opinion, that sixty shillings was the price, up to which the landed interest are entitled to protection.

So much, Sir, for the amount; next, as to the mode in which this protection ought to be given. I have mentioned to the Committee the reasons which induce me to think that a *fixed* duty is not the duty to be adopted—that a fixed duty, without reference to variation of price, must at one time be too high, at another too low—and, by the very circumstance that it does not itself vary, while the other quantity is perpetually varying, it would be introducing perpetual inequalities. I conceive, that a scale of duties, which should vary inversely as the prices of Corn, correcting the excess, and making up the deficiency, and tending by this alternate aid to their general equalization, would be that which would carry in itself the best chance of general steadiness; a property, which is perhaps the first thing, perhaps even before occasional cheapness, to be considered in legislation on the subsistence of the people. As to the amount of such duty—the grounds on which any particular amount should be assumed, is matter of more detail than I think it

expedient at present to enter into; for I am aware, that prices in foreign markets, and many other matters of that nature, should properly enter into such a discussion. Upon the best consideration which my Noble Friend at the head of his Majesty's Government, was able to give to this subject, he satisfied himself that a protecting duty of twenty shillings, where the price of the quarter of Wheat is sixty shillings, would be as much as it would be reasonable and fair to impose, and not more.

Taking as the mean term of our plan the average price of Wheat at sixty shillings, and the duty at twenty shillings, it is proposed to diminish that duty by two shillings for every shilling of increase of the average price *above* sixty shillings; and, on the contrary, to increase that duty by two shillings for every shilling which the average price shall fall *below* sixty shillings. The effect of this scale then will be, that, from the assumed price of sixty shillings up to sixty-one shillings, there will be a duty of twenty shillings; from sixty-one shillings to sixty-two shillings, the duty will be eighteen shillings; from sixty-two to sixty-three shillings, the duty will be sixteen shillings; from

sixty-three shillings to sixty-four shillings, fourteen shillings; from sixty-four shillings to sixty-five shillings, twelve shillings; from sixty-five to sixty-six shillings, ten shillings; and so on, until the price having arrived at seventy shillings, all duty will cease, and importation be perfectly free—with the exception merely of the nominal duty of registration at the Custom-house. Thus at sixty-five shillings, the duty will be ten shillings; and at seventy shillings, it will cease altogether, and importation be perfectly free. This, Sir, is the ascending scale of price. On the other hand, as to the descending scale, from sixty shillings to fifty-nine shillings, there will be an addition of two shillings. So that, at fifty-five shillings, the duty will amount to thirty shillings—in other words, to a prohibitory duty, as, it is intended that at that price it should be.

I trust, Sir, that it will be felt that this project has been impartially conceived; and I confess that I can anticipate from those who insist upon a law of prohibition, on the one hand—or from those who insist upon unlimited importation, on the other hand—no objection, but such as must inevitably be-

long, in their eyes, to every plan of compromise or settlement.

I am aware, indeed, that there is one question which may arise from the statement that I have made—I am aware that I may be asked, by the agricultural body, “If there be any point on which you are prepared to grant us a prohibitory duty, why not, at that point, establish an absolute prohibition?” I will tell you, Sir. In the first place, I think it no light matter, with respect to a subject which has been, not for years only, but for ages, under the consideration of Parliament, that there has been no instance, excepting that of 1815, wherein prohibition has been an admitted principle of legislation. Even during a series of years, particularly from 1670 to 1774, when it was the object of Parliament, not only to discourage importation, but to encourage the exportation of British Corn, that discouragement of importation was carried into effect, not by prohibition, but by duty. In the second place, I must say, that after the experience we have had, under the law of 1815, there is no great inducement to our continuing this innovation, (for so I must call it). Thirdly, Sir, it seems to me desirable, that if

there is to be a trade in Corn at all, it should be conducted, as far as possible, on the principles of other trades, in a sober, regular course, and not by perpetual jirks and impulses arising out of extraordinary emergencies. I am persuaded, that if importation be always free, taking sufficient security against an inundation of the home market, it will flow in a regular, equable current, supplying the real wants of the country, without overwhelming it; instead of rendering the trade, as now, under the principle of prohibition, a perpetual series of alternations between a drought and a deluge.

I think this project will tend to equalize the prices, and keep that equalization of prices steady: The market will indeed assume such a steadiness, that, instead of a fluctuation between one hundred and twelve shillings at one time, and thirty-eight shillings at another, the vibrations will probably be found to be limited within the small circle of from about fifty-five shillings to about sixty-five shillings. The plan will provide against the mischief arising from sudden gluts in the market at one time, and sudden dearths compelling us to legislate occasionally, in contradiction to our general system of legis-

lation, at another. It will get rid of another evil of very great magnitude—the abuses of the system of averages. If, as I have already stated, we see that a fraction of *five-pence* one way, and of *two-pence* the other, shut the ports when they ought to have been open, and opened them when they ought to have been shut, it is impossible not to entertain some suspicion of the soundness of the system by which such inconvenient effects were produced. By this plan, the averages will be declared weekly, and each week's average will govern the duty of the ensuing week; what room can there be, in the course of a week, for deep speculation? In an interval of three months, it is possible for great capitalists to produce an effect upon prices by unfair means. But, under the new arrangement, when the average of one Saturday will be overturned by the average of the next Saturday, what temptation—what opportunity can there be for the commission of fraud?

This plan will therefore tend to vindicate the respectability of the Corn Trade, which will assume, even in the eyes of those by whom it has been most suspected, a character more analogous to the regular trade of British Mer-

chants in other branches of commerce. The plan will also get rid entirely of the possibility of such an interference on the part of the Executive Government, which some Gentlemen refer to with great complacency as a cure, but which I confess I consider an aggravation of the present system. I am perfectly confident, and so are my colleagues, that we did right some months ago in taking upon ourselves the responsibility of admitting Corn not admissible by law. But though we were right in taking care of the public good, we were not unconscious at the time, and we have since received painful information, that while we did a great public good, we did much private mischief. The measure which was adopted to save the country from the suffering which would have followed a scarcity—may have had the effect of injuring more than one private fortune. Honourable Gentlemen talk glibly of responsibility, and taunt Ministers, as if they would have been incapable of filling their situations, if they had hesitated to exercise an extraordinary discretion in such an emergency. I do not say that, under a similar emergency, we should not be ready to act with similar decision again; but though such an emer-

gency may have justified the exercise of an extraordinary discretion, it is surely incumbent upon Ministers to endeavour to prevent a recurrence of it.

These are some of the benefits which this plan presents to the House; and if it should appear upon trial, that interests which are now supposed to be wide as the poles asunder, may thus be approximated more nearly than is now believed to be possible—such a result would be worth all the rest. It will tend to sweeten the ill blood which has too long subsisted between two classes of the community looking with jealousy at each other, and to unite conflicting opinions as well as interests, which have appeared to be altogether irreconcilable.

These are the principles on which the plan of his Majesty's Ministers is founded: these are the objects which they propose to carry into effect. I have now only to commit the Resolutions which I have to propose, to the judgment of the Committee, whom I entreat, to whatever objections they may deem the plan to be liable in detail, to receive it, as it is intended to be, in the light of a peace-offering from my noble friend at the head of the Government.

The Resolutions are calculated, as I verily believe, to allay jealousies, to terminate disputes, and to convince those who have been long causelessly arrayed against each other, under a notion that their respective prosperities were incompatible, that there is room enough in the world for both, and that their advantages may be doubled by union.

In this spirit the Resolutions have been conceived, and in this spirit I trust they will be accepted.

RESOLUTIONS

that it is the opinion of this Committee, that
 of Corn, Grain, Flour, and Flour, which
 now by law be imported into the United
 States, should at all times be admissible for
 use, upon payment of the Duties following,

imported from any Foreign Country.

Art. 1. 2. 3.

Whenever the average Price
 of Wheat, made up and publish-
 ed in manner required by law,
 shall be 60s. and under 61s. the
 Quarter, the Duty shall be for
 every Quarter 1 0 0

and in respect of every
 integral Shilling, by which such
 Price shall be above 60s. such
 Duty shall be decreased by 2s.

RESOLUTIONS.

THAT it is the opinion of this Committee, that any sort of Corn, Grain, Meal, and Flour, which may now by law be imported into the United Kingdom, should at all times be admissible for Home use, upon payment of the Duties following, viz :—

If Imported from any Foreign Country.

WHEAT, viz.

£. s. d.

— Whenever the average Price of Wheat, made up and published in manner required by law, shall be 60s. and under 61s. the Quarter, the Duty shall be for every Quarter	1 0 0
- - - and in respect of every integral Shilling, by which such Price shall be above 60s. such Duty shall be decreased by 2s. until such Price shall be 70s.	

WHEAT, viz.

£ s. d.

———— Whenever such Price shall be
at or above 70s. the Duty shall
be for every Quarter 0 1 0

8 11 0 ——— Whenever such Price shall be
under 60s. and not under 59s.
the Duty shall be for every
Quarter 1 2 0

— and in respect of each
integral Shilling, or any part
of each integral Shilling, by
which such Price shall be under
59s. such Duty shall be in-
creased by 2s.

BARLEY.

———— Whenever the average Price
of Barley, made up and publish-
ed in manner required by law,
shall be 30s. and under 31s.
the Quarter, the Duty shall be
for every Quarter 0 10 0

— and in respect of every
integral Shilling by which such
Price shall be above 30s. such
Duty shall be decreased by
1s. 6d. until such Price shall
be 37s.

———— Whenever such Price shall be
at or above 37s. the Duty
shall be for every Quarter..... 0 1 0

BARLEY.

£ s. d.

— Whenever such Price shall be
under 30s. and not under 29s.

the Duty shall be for every
Quarter 0 11 6

- - - - and in respect of each
integral Shilling, or any part of
each integral Shilling, by which
such Price shall be under 29s.
such Duty shall be increased
by 1s. 6d.

OATS.

— Whenever the average Price
of Oats, made up and published
in manner required by law,
shall be 21s. and under 22s. the
Quarter, the Duty shall be for
every Quarter..... 0 7 0

- - - - and in respect of every
integral Shilling by which such
Price shall be above 21s. such
Duty shall be decreased by 1s.
until such Price shall be 28s.

— Whenever such Price shall be
at or above 28s., the Duty shall
be for every Quarter..... 0 1 0

— Whenever such Price shall be
under 21s., and not under 20s.,

OATS.

£ s. d.

the Duty shall be for every

Quarter 0 8 0

- - - - and in respect of each
integral Shilling, or any Part
of each integral Shilling, by
which such Price shall be under
20s., such Duty shall be in-
creased by 1s.

RYE, PEASE, AND BEANS.

Whenever the average Price
of Rye, or of Pease, or of Beans,
made up and published in
manner required by law, shall
be 35s., and under 36s. the
Quarter, the Duty shall be for
every Quarter 0 15 0

- - - - and in respect of every
integral Shilling by which such
Price shall be above 35s., such
Duty shall be decreased by
1s. 6d. until such Price shall
be 45s.

Whenever such Price shall be
at or above 45s., the Duty shall
be for every Quarter 0 1 0

Whenever such Price shall be
under 35s., and not under 34s.,

OATS.

£ s. d.

the Duty shall be for every
Quarter

0 16 6

and in respect of each
integral Shilling, or any Part
of each integral Shilling, by
which such Price shall be un-
der 34s., such Duty shall be
increased by 1s. 6d.

WHEAT, MEAL, AND FLOUR.

———— For every Barrel being 196lb.

A Duty equal
in Amount to
the Duty pay-
able on Five
Bushels of
Wheat.

OATMEAL.

———— For every Quantity of 252lb.

A Duty equal
in Amount to
the Duty pay-
able on a
Quarter of
Oats.

MAIZE OR INDIAN-CORN, BUCK-WHEAT,
BEER OR BIGG.

———— For every Quarter.....

A Duty equal
in Amount to
the Duty pay-
able on a
Quarter of
Barley.

If the Produce of, and Imported from any British Possession in North America, or elsewhere, out of Europe.

WHEAT.

£ s. d.

———— For every Quarter.....

- - - - until the Price of British Wheat, made up and published in manner required by law, shall be 65s. per Quarter.

———— Whenever such Price shall be at or above 65s., the Duty shall be for every Quarter..... 0 0 6

BARLEY.

———— For every Quarter..... 0 2 6

- - - - until the Price of British Barley, made up and published in manner required by law, shall be 33s. per Quarter.

Whenever such Price shall be at or above 33s., the Duty shall be for every Quarter..... 0 0 6

OATS.

For every Quarter... 0 2 0

- - - - until the Price of British Oats, made up and published in manner required by law, shall be 24s., per Quarter.

OATS. £ s. d.

Whenever such Price shall be
at or above 24s., the Duty
shall be for every Quarter..... 0 0 6

RYE, BEANS, AND PEASE.

For every Quarter..... 0 3 0

--- until the Price of Bri-
tish Rye, or of Beans, or of
Pease, made up and published
in manner required by law,
shall be 40s. per Quarter.

Whenever such Price shall be
at or above 40s., the Duty
shall be for every Quarter..... 0 0 6

WHEAT, MEAL, AND FLOUR.

For every Barrel being 196lb. a Duty equal
in amount to
the Duty pay-
able on Five
Bushels of
Wheat.

OATMEAL.

For every Quantity of 252lb. a Duty equal
in amount to
the Duty pay-
able on a
Quarter of
Oats.

MAIZE OR INDIAN CORN, BUCKWHEAT,
BEER OR BIGG.

For every Quarter..... a Duty equal
in amount to
the Duty pay-
able on a
Quarter of
Barley.

That it is the opinion of this Committee that

all the said Duties shall be regulated and determined from week to week, by the average prices of Corn, made up in manner required by law, which Prices shall, at the several Ports of the United Kingdom, determine the several rates of the said Duties for and during the week next after the receipt of the proper Certificates of such Average Prices, at such Ports respectively.

ANNUAL AVERAGE PRICE OF WHEAT
for 12 Years, from 1803 to 1814, both inclusive.

	s.	d.	
Year ended 1803—	57	1	} per quarter.
1804—	60	5	
1805—	87	1	} average of 6 years, 72s. 2d.
1806—	76	9	
1807—	73	1	
1808—	78	11	
1809—	94	5	} average of 6 years. 98s. 6d.
1810—	103	3	
1811—	92	5	
1812—	122	8	
1813—	106	6	
1814—	72	1	
Average of 12 years	85	4	

AVERAGE PRICE OF WHEAT for 12 Years,
from 1815 to 1826 inclusive.

	<i>s.</i>	<i>d.</i>	
Year ended 1815—	63	8	} per quarter.
1816—	76	2	
1817—	94	0	} average of the first 6 years, 75 <i>s.</i> 11 <i>d.</i>
1818—	83	8	
1829—	72	3	
1820—	65	10	
1821—	54	5	} average of the last 6 years, 55 <i>s.</i> 9 <i>d.</i>
1822—	43	3	
Average of { 1823—	51	9	
4 years { 1824—	62	0	
59 <i>s.</i> 3 <i>d.</i> { 1825—	66	6	
	1826—	56	11
Average of 12 years	65	10	
Average of the last 6 years.....	55	9	
Average of the pre- sent year, 1827, to 15th Feb.	53	6	

Highest and lowest Prices since 1815.

Highest week ended 28 June, 1817....	112	7
Lowest - - - - 26 Oct. 1822....	38	1
	Difference !	74 6

Table, shewing the operation of the proposed Duties, at each Shilling of Price of Wheat—from 70s. per Quarter, down to 53s., the average of the first six weeks of 1827.

If the Price be 70s. and upwards		— 1s. Duty	
69s. and under 70s.		— 2s.	
68s.	- -	69s.	— 4s.
67s.	- -	68s.	— 6s.
66s.	- -	67s.	— 8s.
65s.	- -	66s.	— 10s.
64s.	- -	65s.	— 12s.
63s.	- -	64s.	— 14s.
62s.	- -	63s.	— 16s.
61s.	- -	62s.	— 18s.
Assumed Point of Protection.	}	60s.	- - 61s. — 20s. Leaving to the Importer of Foreign Wheat 40s.
		59s.	- - 60s. — 22s. - - - 37s.
		58s.	- - 59s. — 24s. - - - 34s.
		57s.	- - 58s. — 26s. - - - 31s.
		56s.	- - 57s. — 28s. - - - 28s.
		55s.	- - 56s. — 30s. - - - 25s.
Average of the last six years.	}	54s.	- - 55s. — 32s. - - - 22s.
		53s.	- - 54s. — 34s. - - - 19s.
Average Price of 1827, to Feb. 15.			

THE END.

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ON THE

CORN & CURRENCY QUESTIONS, &c.

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A

LETTER

FROM

EARL STANHOPE,

ON THE PROPOSED

ALTERATION OF THE CORN LAWS.

LONDON:

JAMES RIDGWAY, PICCADILLY.

1827.

54

SHACKELL AND BAYLIS, JOHNSON'S COURT.

LETTER,

&c.

DEAR SIR,

SINCE I last addressed you, a total subversion of the Corn Laws has been proposed by Ministers, and I am desirous of offering to you a few observations upon the subject. It will not have escaped your attention, that at the opening of the present Session, on the 21st of November last, the Earl of Liverpool announced his design, and that in a few days afterwards his Colleague, Mr. Huskisson, from whom the former seemed unfortunately to have borrowed some of his opinions, assured the House of Commons that the project was then completely matured; but you will recollect that it was not brought forward till the 1st of the present month. We heard it rumoured, that till a very late period before the measure was actually promulgated, Ministers were not agreed among themselves upon the subject, and, from some cause or other, it was concealed in impenetrable mystery like a secret of state, or the most important negotiation abroad, on which might depend the

decision of War or Peace. If the measure had been proposed at the time when it was said to have been prepared, an opportunity would have been afforded to Parliament and to the People of considering it in all its parts and bearings, during the recess, which lasted from the 13th of December till the 8th of February, and such an opportunity ought to have been given when the project was nothing less than an entire alteration of a system which Government had represented as permanent, and upon which it had acted for several successive years.

Had that course been adopted, which would have been fair and candid, and was required by the importance of the subject, I am persuaded that the measure would not have received the same support in the House of Commons, and that it would have been generally understood and every where reprobated throughout the Country. Even in the House of Commons it could not have advanced to its present stage if it had not received the support of many of the Opposition, who upon this, as well as upon several other occasions, have eagerly promoted those measures of the Administration which were the most pernicious. It is their conduct, and the unpopularity which justly attends it, that retains at present, and might, under ordinary

circumstances, retain for ever, some of the present Ministers in office.

The motives which have been alleged as an apology for the proposed alteration of the Corn Laws, are as strange as the measure itself, and may excite a just suspicion of their sincerity. It is said, forsooth, to be *an Improvement of the present Corn Laws, and beneficial to the Agricultural Interest!* I would ask those who thought proper to make these assertions, whether the Agricultural Interest has not very generally petitioned for a continuance of the existing system? whether it has shewn any wish to alter that system, to subvert its principle, and to substitute unrestricted Importation under fluctuating Duties for a prohibition of Importation within a certain limit? The Agricultural Interest claims the rights to which it is by law entitled, and does not apply either to Parliament or to the Board of Trade for the adoption of a new system founded on the principles of "Political Economy." Under the Corn Law of 1822, the Importation of wheat was prohibited till it had risen to the price of *eighty shillings*, and after that event had taken place, it was permitted only when the price was at or above *seventy shillings*. That law, therefore, granted a permanent protection to the amount of *seventy shillings*; and with the present Cur-

rency it was indeed highly improbable that Wheat would ever again attain the price of *eighty shillings*, or would, in consequence, be admitted into this country. In fact, no Foreign Wheat had been brought into our Markets since that Law was enacted, and the mere possibility that such might, at some period or other, be the case, is urged as a pretext for repealing a Law which had produced no inconvenience whatever; but, on the contrary, great and general advantage to the agricultural as well as to other classes.

It was also said, that the proposed measure would *prevent the fluctuation of prices* that had occurred since 1815, in consequence of the Corn Law which was enacted in that year. What! was not Mr. Peel's Bill passed since 1815, and were not the prices of Colonial Produce, and of many other articles, reduced very considerably by the operation of that Law? As well might the Corn Law of 1815 be charged with the reduction in the prices of those articles, as with the fluctuation in the prices of Corn. The one and the other originated in the same cause, in the alteration of the Currency, which was the object and operation of that Bill; and which, with unparalleled injustice, was carried into execution without any regard to the public or private obligations that then existed. You are well acquainted

with that Edict of Confiscation, for such it was in its nature, and also in its effects, till its severity was mitigated by another Law of which Government did not avow the motive. Those who are, or profess to be, ignorant upon the subject, should peruse the clear, convincing, and unanswerable Pamphlets of Mr. Western upon the question of the Currency.

Ministers, instead of giving flimsy and fallacious pretexts for the measures which they propose, ought candidly to declare the truth, and to answer this plain question, whether they do or do not intend to *lower the price of Corn*? If they do not intend it, the change cannot be represented by them as conferring even a supposed benefit on the consumer, and they will gain no popularity with those whose favour they seem disposed to court, with those who have been so ignorant or so deluded as to petition for a repeal of the Corn Laws. If they do intend it, common justice to those who would be cruelly injured by the measure, and whose property might ultimately be annihilated by its operation, ought to have induced them to grant a Parliamentary Inquiry, in order to ascertain how far any reduction of prices would be prudent or proper, or would even be practicable, without danger or detriment to all the Interests of the Country. Such

an inquiry would, in other times, have necessarily preceded the measure, and would have been considered an indispensable preliminary.

Far from proposing, Ministers have not even allowed, an inquiry on a most important point, on the *Remunerating Price*, or in other words, on the price at which Corn can be grown with a fair profit to the cultivators, and at which it ought, therefore, on an average, to be sold, but they appear to have assumed that it is 60s. The Agricultural Society of Holderness states, however, in a Petition which I presented to the House of Lords, that 64s. is the Remunerating Price in that rich and fertile district; and the same opinion is expressed in petitions from several Hundreds in Derbyshire. I know not whether those districts which by nature are so fertile, and have hitherto been so prosperous, are among those which it is intended to throw out of cultivation: an event that is anticipated with so much joy and satisfaction by the “Political Economists” of the present day. I am assured upon the authority of a most respectable person, who has had a practical experience of forty years, and who during that time, has occupied a large quantity of land, that in the district where he resides 70s. is “the very lowest price at which Foreign Wheat could be introduced without certain

“ruin to the Country ;” and he observes, after stating the Remunerating Prices of other Grain, “under these prices it will be ruin to grow any of the above.” I need not trouble you with calculations respecting other Grain, as the same arguments apply to all. It is undeniably true, that as the Remunerating Price of Wheat in some fertile districts is 64s., it must be higher where the soil is of inferior quality ; and it is also perfectly clear, that if Corn is sometimes sold below the Remunerating Price, it ought sometimes to be sold above that price, in order that the average may be preserved.

This proposition is, indeed, too obvious to require either proof or illustration, and yet it appears to have been entirely forgotten in framing the proposed Regulations. The Remunerating Price for Wheat, seems, in the opinion of Government, to be 60s., and if the price is now 6s. lower, or 54s., it ought of course to be allowed to rise 6s. higher, that is to 66s. As soon, however, as the price rises to that amount, Foreign Wheat may be brought into the Market on payment of a Duty of 8s., and then the price of British Wheat is immediately depressed to an extent of which those who have not considered the subject in detail would be unable to form a conception. If, when the price has reached

66s., Speculators and Jobbers should be inclined to raise the Market, which, under the system of Weekly Averages, may be an easy operation, and if, in consequence, the price should rise only 4s. more, that is to 70s., Foreign Wheat may be imported or brought out of the Warehouses under a Duty of *only one shilling*. By the Act of 1822 it would, at the price of 70s., have been subject to a Duty of *seventeen shillings* for the first three months, and of *twelve shillings* afterwards. I would therefore ask you, whether it is not the grossest delusion which was ever attempted to be practised upon any rational beings, when it is represented that the operation of the proposed regulations would be “to keep wheat as nearly as possible at the price of 60s.?” I do not believe that many Farmers have been misled upon this question, but if any partial or transient approbation of the proposed alteration has any where been expressed, I am convinced that it arose in a great measure from that delusion, and from the consequent expectation that Wheat, which for some time past has been below 60s., would speedily rise again to that price.

It is very important for the Occupiers of Land to consider what would be the necessary effect of the proposed Regulations, after one of

those unfavourable harvests which must occasionally occur. They would find that instead of their selling a short crop at a higher price, as is natural and reasonable, under those circumstances, they might, and probably would, be obliged to sell it even at a lower price than they would expect and receive for a very abundant crop. I will suppose, although I do not admit it to be the case, that the Remunerating Price for Wheat is 60s., as is assumed by the proposed Regulations, that the price might, after a plentiful Harvest, fall to 50s., and that it might, after a deficient Harvest, rise to 70s. At the price of 50s. no Importation would take place, but whenever the price rises to 70s., those Regulations are so skilfully contrived for the ruin of the Agricultural Interest that the Ports and Warehouses are opened for Foreign Wheat at a Duty of *one shilling per Quarter*; and in that event it might, I think, be sold in our Markets for 30s. per Quarter, or *even at a still lower price.*

This will appear evident when you examine the prices on the Continent, which, according to the returns of the British Consuls, and on an average of the year 1825, were in the under mentioned Ports of the North of Europe, as follows :

		s.	d.
1	Copenhagen <i>per quarter</i>	15	2
2	Memel <i>do.</i>	16	5½
3	Hamburg <i>do.</i>	18	0
4	Königsberg <i>do.</i>	18	10¼
5	Emden <i>do.</i>	19	3
6	Liban <i>do.</i>	20	0
7	Rotterdam <i>do.</i>	20	5½
8	Dantzic <i>do.</i>	20	6
Being an average of the above		18	7

It is stated in the Petition to which I have before referred, of the Holderness Agricultural Society, "That it is a fact well known in the Port of Hull, that before the late Orders in Council for admitting the sale of Foreign Wheat, good Wheat then in Bond, was on sale, as an article of merchandize, in that Port, at the price of 24s. per Quarter."

The prices on the Continent would, it is said, rise considerably if Foreign Corn could at all times be brought into our Markets, and I am ready to admit, that some advance would at first take place; but I see no reason whatever to expect that the prices would be permanently raised. Even Mr. Jacob's Report furnished sufficient proofs, that in those parts of the Continent which he visited, the cultivation could be *very much extended and improved*; and that in this, as in many other cases, the *supply would equal if not exceed the*

demand. This has already been shewn with respect to the production of Wool upon the Continent, in consequence of the increased demand in this Country. You know that Mr. Jacob's Report contains no information whatever with respect to the produce, or to the prices of some Countries where Corn is grown in great abundance; and you know also that it is utterly impossible to foresee how much Corn might be imported into this Country, or at how low a rate it might be sold. It is obvious, that it would be the interest of those who had large Stores of Corn to sell it even at some loss, as it is a perishable article, rather than allow it to be consumed by vermin, or destroyed by natural decay.

It may also be said, that those who bring Foreign Corn into our Markets, will indeed sell it at a lower price than our own, so as to obtain the preference; but not at such a price as would very much depress its value, as they would otherwise lose a portion of their profits. Their permanent interest is, undoubtedly, to depress as much as possible the Markets, to ruin the Farmers, to throw the Land out of Cultivation, and thus to obtain the monopoly for themselves, when it would be in their power to demand their own prices, and to compel us to submit to their own terms. In this Country, it has been ob-

served, that a Monopoly is often the object of a Competition, and that two rival establishments will bid against each other, in order that one of them may become bankrupt, and that the other may engross the whole Trade to itself. If we were to become dependent upon Foreign Countries for a supply of Corn, and such, I am convinced, would be the inevitable result of the proposed Regulations, the prices of Corn, far from being permanently lowered in this Country, would *ultimately become much higher* than they are at present, but they would be paid for *foreign importations*, and not for our own produce. The principle of the present Corn Law is not merely protection to Agriculture, but also National Independence and Safety; and it was truly stated in a Report of a Committee of the House of Commons, that "*an habitual and extensive dependence on Foreign Supply,*" is "*neither salutary nor safe.*" I might refer upon this point to the opinions which were formerly expressed by Mr. Huskisson, in a letter to one of his Constituents, and which were avowed also by some of his Colleagues; but, as we well know, and as recent experience has proved, consistency is little prized or practised by some Members of the present Administration.

The injustice and injury which would be inflicted by the proposed Regulations, are very

much increased, and become intolerable through the Bonding System by which Foreign Corn may remain in the Warehouses for an indefinite period, without the payment of any Duty, till the Corn is removed from them. That system tends obviously to discourage the purchases of British Corn, gives great opportunities for frauds, and the utmost possible inducement to speculation. By means of that system, the Corn Market may become even more than the Stock Exchange, a theatre for gambling speculations and rash adventures, by which some may gain and others may lose, but by which great fluctuations must take place, and the interests of the Country must suffer and may be sacrificed.

Under such circumstances what security can be possessed by the Occupiers of the Soil? What confidence can they entertain? What calculations can they form with respect to their present engagements, or to any others which they may contract? They might enjoy protection if Taxes had been imposed upon Foreign Corn, according to the prices at which the several kinds of it could be imported, and if, in consequence, Foreign Corn had been excluded from our Markets as effectually as is now the case. The prices as well as the expences of freight vary, however, in different Ports, and under different

circumstances, and it would be impracticable for human skill and ingenuity to fix the proper amount of such Taxes. It was reserved for the wild innovators of the present age, for the "Political Economists" who are allowed to make rash and dangerous experiments with the Currency, with the Trade and Navigation, and with the Agriculture of the Country, to contrive a plan by which a Tax should be imposed upon Foreign Corn not according to its own prices, but according to the prices of this Country, and by which our supply should be entirely regulated by those over whom we can have no controul, and the subsistence of all the Agricultural Classes should be placed entirely at their mercy. Such is the influence which some persons have been permitted to usurp in this Country, that they can accomplish in a very short time, and by very simple means, through an Act of Parliament, that *general ruin* which during many years was the object of the zealous, unremitting but unavailing exertions of Buonaparte, of his genius and of his power; and that they might ultimately produce a *Revolution*, which all the Radicals and Reformers of the Country would, without their assistance, be unable to effect.

Under the present system the Farmers might have felt confidence, and might have enjoyed Protection to the amount of *seventy*

shillings per Quarter on Wheat, if our Ministers had not altered the Currency, and had suffered the Corn Laws to have their due operation; if they had not frequently infringed them by allowing Canada Wheat, and afterwards Bonded Wheat, to be brought into our Markets; and if they had not, without any plausible pretext for such a measure, obtained the discretionary power of permitting the importation of half a million of Quarters of Foreign Wheat, when the price in our Markets was very considerably below a Remunerating Price. A very intelligent Farmer said to me lately, "Happen what will, whether the new Corn Regulations do or do not pass into a Law, I will never again take a Farm in this Country, for Government does not keep its faith with Farmers, and it is quite impossible for them to feel any confidence." In fact, when we recollect the declaration of the Earl of Liverpool in 1815, that the Corn Bill proposed in that year was a *permanent system*, and was to be regarded as a *final settlement of the question*, what can we think, what must we say of his conduct and of that of his colleagues in violating the principle of that Law upon several occasions, and in now proposing its entire subversion? Can we forget what is reported to have been once said in the House of Commons, by a Member whose opinions have great weight

in that assembly, "*the landed interest must be reduced, and I will sound the tocsin of alarm if any thing is done to protect it.*"

The imperfection which exists in the Corn Law of 1822, is no more to be urged as a reason for its repeal, than the imperfection which may be found in any human institution could be considered as an apology, not for its amendment, but for its annihilation. That Corn Law was represented, in poetical language, as exposing this Country to the danger "either of a Drought or of a Deluge," in the Supply of Corn. It is undoubtedly true that, under the new system, no "Drought" of Foreign Corn can possibly be expected, and no deficiency might occur, except of our own produce; but if alarm was felt for a "Deluge," under a duty of *seventeen shillings*, and afterwards of *twelve shillings* on Importation, when the price of Wheat became *seventy shillings*, is that alarm to be removed—is the danger of that "Deluge" to be prevented by lowering the Duty to *one shilling*? Whatever the imperfection of the last Corn Law may be, which, however, has been found only in theory, and not in practice, the Owners and Occupiers of Land have not, in any District, solicited its repeal; but, on the contrary, Petitions have been sent from all quarters to both Houses of Parliament, to pray that

“no alteration may be made.” Although one Minister had the boldness to assert, that he believed the proposed Regulations were very generally approved, I am convinced that the very reverse will be proved to be the case; and that in all parts of the Country the loudest complaints will be heard, the strongest remonstrances will be urged against a system which involves nothing less than universal ruin.

When every attempt is made to delude and to inflame the public mind, upon a subject of vital importance to all classes of the community; when those, whose object is mischief, employ falsehood and misrepresentation as the means of producing it, the Owners and Occupiers of Land are bound, by public as well as private duties, to use every exertion in endeavouring to dispel the delusion, and to preserve themselves from distress, and their property from destruction. Zeal, Energy, and Union, would render them invincible; but, in this great crisis of their fate, some of the Country Gentlemen, some of the “Unpaid Magistracy,” who have been so unjustly eulogized, have exhibited an apathy and torpor which was most disgraceful to them and most detrimental to the Country. The petty concerns of their respective neighbourhoods, the pursuit and preservation of their Game, and

the punishment of Poachers, seemed to have engrossed the minds of some of those persons, and to have excluded the consideration of what was due to themselves, to their Tenants and Labourers, and to the general interests of the State. Let us still hope that they will at length be roused from their slumbers before it is too late, before the thundering voice of an indignant and injured People would announce to them that the storm is breaking upon their heads.

Let them not console themselves with the expectation, that when the destructive consequences of the new measure have been fully exhibited by experience, as they have been already in theory, the evils which had been produced by it would be remedied by its repeal. When the capital of their Tenants becomes exhausted, when some of their Tenants are reduced to pauperism, and others have removed to Foreign Countries, is it supposed that it would be easy, or even possible, to provide new Occupiers of sufficient skill and capital? or, indeed, that many persons would be willing to till the Land when its Cultivation had brought ruin on those who had been engaged in it? This would be utterly impossible on the large Farms, which were so much in fashion, but to which, I am averse, upon principle, as well as in my own practice. It was very justly observed by Lord

Redesdale, that "some of the Farmers would go, nay, that some had already gone, to France, as that Country had adopted the English Corn Laws." Such is the distress which has already been produced in this country by mischievous experiments, and amongst others by the alteration of the Navigation Laws, that invaluable Bulwark of our national safety and of our naval defence, that an eminent Ship Owner assured me lately, that unless the present system were speedily to be amended, he would leave this Country, and settle in a Sea-port of Germany, for the purpose of carrying on his business with advantage.

It is indeed interesting, as well as instructive, to make a short comparison between the relative situations of this Country, and of that Empire which is pre-eminently distinguished by its mild and paternal Government, and by the happiness and welfare of its Subjects, I mean the Empire of Austria. In Great Britain, the gross amount of Taxation, including Poor's Rates, and other Parish and County Rates, would average *five pounds* per head on the whole Population; but in Austria the average appears to be only *seven shillings and sixpence* per head. The Wages of Labour in Austria bear exactly the same proportion as exist in this Island to the price of Wheat at

sixty shillings per Quarter ; but in Austria only *eighteen days'* labour will suffice to pay the average amount of Taxation, for which *sixty days* labour are requisite with us ; and there it may be paid by *half a Quarter* of Wheat, while *one Quarter and two-thirds* are necessary here for the same purpose. This comparison leads to two inferences, the truth of which cannot be denied, or even disputed, that with such an immense difference in the amount of Taxation, it would be utterly impossible for our Corn to enter into competition with theirs, and that it is not the price of Wheat, which is not cheaper there than it is here with reference to the Wages of Labour, but the weight of Taxes which in this Country is a just subject of complaint.

Much has indeed been said about the high price of Corn in this Country, and it has even been termed a "Famine Price." The real and true definition of a "Famine Price" is, I think, the price at which the ordinary Wages of a labourer do not enable him to purchase a sufficient quantity of Bread. Such a calamitous state of things, which no man who has a heart within his bosom could witness without the deepest sorrow, and without the utmost sympathy for the sufferers, may occur either from a great advance in the price of Bread, or from a great fall in the Wages of

Labour, and a general want of Employment. In whatever mode the disproportion is created, the effect will be the same. The distress which now afflicts some of the Manufacturing Districts, did not exist in the year 1825, during which the price of Wheat was, on an average, about *twelve shillings per Quarter higher than it is at present*. That distress may become general throughout the country, when Land is thrown out of Cultivation, and the Labourers are thrown out of Employment, and driven to subsist on a scanty pittance which they would receive, as Paupers, from the Parish.

It is the less requisite for me to trouble you with any observations upon the advantages which some persons suppose that an alteration of the Corn Laws would produce in relieving the Manufacturers and in extending Trade; because neither of those topics appear to have been even noticed by Ministers in proposing and in defending their new measures. So much clamour has, however, been raised upon both these points, and so much ignorance and delusion exist respecting them, that you will excuse me for making a few remarks. I need not repeat that the distress of the manufacturers has arisen solely from the Want of Employment, and that it would of course be still more severely felt when the Home Market,

which consumes *four-fifths* of their Goods, had been ruined by the impoverishment of the Landed Interest. Even if the demand for Labour and the Wages of Labour were, under such circumstances, to continue the same, which is utterly impossible, and could be credited only by those who are bereft of common sense, you will perceive, by a very simple calculation, that a reduction in the price of Wheat, which would be quite ruinous to the Occupier of Land, would bring no relief to the Artizan. Take for example the East Riding of the County of York, which, as the Holderness Agricultural Society states, is “a District
 “*as productive of Corn, and as cheap in price, as*
 “*any in the kingdom,*” and in which the Remunerating Price for Wheat is sixty-four shillings. It is also stated by that Society that *two-thirds of that price* “are unavoidably expended in the Wages and ordinary maintenance of Servants and Labourers, and other
 “expenses of raising Corn from the Ground
 “and sending it to Market, and the various
 “other Imposts to which Cultivators are liable.” There remains, therefore, *one-third of that price*, or twenty-one shillings and four-pence, to divide between the Landlord and Tenant for Rent to the former and for Profit to the latter, and Interest upon the Capital which he had invested. If, therefore, the price of

Wheat is on average reduced eleven shillings per Quarter, *the Rent of the Landlord or the Profit of the Tenant must be annihilated* ; but as a Quarter of Wheat is considered to be the average consumption of each person annually, the gain at the end of the year to the Artizan would be eleven shillings, or about *two pence halfpenny per week*. Supposing the average wages of a manufacturer to be fifteen shillings per week, he would thus be enabled to save about *one penny out of every six shillings*, or one *seventy-second part* of his earnings, while *the Landlord or the Tenant would lose the whole of his Income*.

As to the expectation which has deceived, and will disappoint so many persons, that the Foreign Trade of this Country would be promoted by reducing the price of Corn at home, and by importing it from abroad, it is fancied that the Wages of Labour would be lowered, and that Foreigners would purchase a greater quantity of English Manufactures. Through the very extended use of Machinery the prices of the Goods are much less influenced than may be imagined by the Wages of Labour, which are now in some of the Manufacturing Districts much lower than ought to be the case. The Master Manufacturers have therefore at present the advantage about which they appear so anxious, of giving very low

Wages of Labour ; and yet they are, as is well known, in the utmost embarrassment and distress. They would not be enabled by a reduction in the price of Wheat to sell their Goods at a lower price, nor even to sell them in a greater quantity than at present. Is it then supposed that Foreigners would have the complaisance or the compassion to empty the English Warehouses, instead of demanding Specie in payment of their Corn, which they would send in the greatest abundance to this Country? Is it supposed that the Landed Proprietors of the Continent would prefer Manufactures to Money, which to some of them would be of essential service for the discharge of incumbrances, and which to others of them would furnish the means of extending and improving the cultivation of their Estates? Such suppositions are most unreasonable in themselves, and are disproved by present as well as by past experience. They are disproved by the *vast Importations of Wool* which have taken place without any corresponding increase ; nay, as we have been informed, with an *actual decrease in the Export of Manufactured Woollens*, by the immense quantity of Foreign Corn which was brought into this Country in the years 1817 and 1818, during which the average amount of Exports was *less by nearly two millions* than the average

of the two preceding years; and by facts which are of public notoriety, that in several large purchases which were lately made upon the Continent, it was demanded, as an indispensable condition, that the *Payments should be made in Gold*. If a free Importation of Foreign Corn were allowed, it must be expected that all the Gold which is now in this Country would be sent from it; and if under such circumstances an attempt should be made to continue the execution of Mr. Peel's Bill, the consequences would be general Beggary and National Bankruptcy.

A reduction of the National Debt and of Taxes in general was solicited in some of the Petitions which have been presented to Parliament for a Repeal of the Corn Laws; and it is no doubt natural and reasonable, as well as just and proper, that those who ask for the latter should ask also for the former. It is, however, superfluous for them to require the reduction of the National Debt, since it would follow of itself, and as a matter of course, from the repeal of the Corn Laws, and would be a necessary and unavoidable consequence of that measure. When general distress and pauperism rendered impossible the collection of the Revenue, and therefore the payment of the Dividends, the result would be not only a reduction, but at last an absolute annihilation

of the National Debt, of which not a vestige would remain. It is true that one Tax would continue to be levied, that which, under the name of an Importation Duty, the Government would impose upon the food of the People; and it is also true that the Corporation of London which petitioned against the present Corn Laws, would receive a Revenue by the "Metage" of Foreign Corn.

Consider the calamities which would be produced in Ireland by large importations of Foreign Corn with which theirs could not possibly compete. You are well acquainted with the opinions which I entertain with respect to that Country, and which I shall at all times be willing to avow and able to defend, and you are also aware that no person can wish more ardently or anxiously than myself that its grievances may be redressed, and its peace and prosperity promoted. The measures which I would recommend for that purpose, the necessity of which becomes every day more and more urgent, are quite different from that project which has been so frequently discussed, and about which so much agitation has been excited. I will not, however, on this occasion make a digression, which might become a long dissertation, upon this subject; but I will merely observe, that the sale of Foreign Corn in large quantities, and at low prices,

in this Country, would *exclude Irish Corn from our Markets*, and that the benefit which Ireland derived from sending to them *two millions of Quarters in a year*, would entirely cease. Could any measure be devised so well calculated to injure and to exasperate the inhabitants of that Country, to destroy all their hopes of future improvement, and to drive them not only to acts of violence and outrage, but even to open Insurrection? Is it possible that a measure which they must view with detestation and dismay, could receive the support of any of those who are connected with that Country by birth or property, by public or private ties, who are interested in its welfare, or who are alarmed for its tranquillity?

Whether the tranquillity of this Country will, or even can be preserved, under such circumstances, is a question which deserves the most serious consideration of Parliament. As it is impossible to import a large quantity of Corn from abroad, and to grow the same quantity at home, or under any circumstances to grow Corn at an actual loss, the necessary consequence must be that much, if not all of the Land, would be thrown out of tillage, and that many Labourers would be thrown out of employment. This is avowed by the "Political Economists," who indeed exult in the prospect that the cultivation of

all Lands of inferior quality would entirely be abandoned, and who have often asserted that the Agricultural Labourers who would thus be deprived of their means of subsistence, and be reduced to pauperism, "might seek for employment in Manufactures." They know that it is physically impossible for those who have passed their lives in the occupations of Husbandry to become Manufacturers; and that there is no sort of Trade or Manufacture in which additional employment could be found. Their assertion adds insult to the injuries which their measures have inflicted upon this ill-fated and ill-governed country. Already in many Districts there is, *in consequence of the low price of Corn*, a lamentable want of employment for the Poor, and an alarming increase of the *Poor's Rates*, which may, ere long, consume the *whole of the Incomes* on which they are charged. The Horderness Agricultural Society states, that "three labourers only are employed where there is work for four," so that *one fourth of the Labourers are already thrown out of employment*, and it adds "that those who are employed are receiving Wages amounting to a bare subsistence for the ablest men in the prime of life, without the possibility of laying by any thing for sickness or accident." I would ask, whether Parliament has, or can have any right by

legislative measures to plunder the Inhabitants of this Country for the profit of Foreign Nations, or to deprive the Labouring Poor of their employment and means of subsistence, and whether it is expected that such injuries will be patiently suffered?

I am, as you well know, one of those old-fashioned Tories, who wish that *all Rights may be respected, all Property may be secured, and that ancient Institutions may be preserved*. Can we, however, hope that any Property will be safe, or that any Institutions will be permanent, if all the Interests of this Country are to be sacrificed by continuing a course of experiments in "Political Economy?" If by rash and dangerous innovations no Rights are sacred, and no Property is secure; if the Monied Interest, the Manufacturing Interest, the Mercantile Interest, the Shipping Interest, and also the Landed Interest, are to be involved in destruction; if distress is every where severely felt, and discontent should at last become disaffection; I know not what chance would then exist of maintaining the Constitution and Government under which we live. The respect and estimation in which that Constitution will be held by the People of this Country, must depend upon the happiness or misery, upon the practical benefits or practical evils which are derived from it,

and not upon any advantages that it is supposed to possess in theory. Complaints have been made by those who call themselves Whigs, about the oppressions of arbitrary Governments, but they will not find in the Histories of those Monarchies that any Edict of Confiscation was issued against any class of their Subjects. The Parliament of this Country has now the choice before it of Peace and Prosperity on the one hand, or Ruin and perhaps Revolution, on the other; and whatever course it may adopt, whatever calamities may be suffered, and whatever convulsions may ensue, I shall at least enjoy the consolation of having endeavoured to discharge my duty.

I am,

Dear Sir,

Very faithfully Yours,

STANHOPE.

Chevening, March 24th, 1827.

A

LETTER

TO

THE EARL OF LAUDERDALE,

TO SERVE

AS AN INDEX

TO

HIS LORDSHIP'S

LEGISLATIVE CHART.

" People rail at the seasons and crops, but I think its all along of
them there folk, as things is so scarce."

See Mayor's Speech in 'The Nabob.'

LONDON:

JAMES RIDGWAY, PICCADILLY

1827.

Let/Let²⁰

THE EARL OF LAUDERDALE

MY LORD,

I TAKE the liberty of addressing you in your
quality of Geographer to the Landed Interest.
Not content with the surprise your speech of the
last Session had created among those who were
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tical Economy you have embodied the ideas of
that speech in the shape of a paradoxical chart.
What a deal of talk this new map has given rise
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tlemen! from the chimney-piece at Boodle's to
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LONDON:

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A LETTER
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MY LORD,

I TAKE the liberty of addressing you in your quality of Geographer to the Landed Interest. Not content with the surprise your Speech of the last Session had created among those who were acquainted with the acuteness of your Lordship's mind, and your knowledge of the Science of Political Economy, you have embodied the ideas of that speech in the shape of a paradoxical chart. What a deal of talk this new map has given rise to! how it adorns the penetralia of country gentlemen! from the chimney-piece at Boodle's, to Sir Thomas Lethbridge's nursery-walls! Under your able pilotage, the infant Squire is taught to wander through the mazes of high prices and low prices, and at the end of his peregrinations, with rapture, to behold the curious coincidence of Government restrictions, with a cheap and steady supply of the necessaries of life, while his young mind

recoils with horror from the misery, dearness, starvation, and insecurity, attendant upon free trade! How usefully adapted to all ages! to the puling infant it might illustrate, "here we go up, and here we go down," the nursery ballad of the wisdom of his ancestors (if such violent charges can be allowed in Squires' nurseries); with the schoolboy at the landed establishment of Eton, it might displace the maps of Asia minor, which now occupy his undivided attention in the Remove, while, during the holidays, he might spin round it with a te-to-tum for his little sisters, always stopping five turns when wheat was below 30s. But as if, my Lord, the maps, of which we thus get the knowledge from the habits of childhood, had been described merely to please the eye; if our zig-zag continent of Europe had been moulded into a more circular shape, we should have gained little useful knowledge of the real shape of land; so I fear, from your Lordship's chart, the young student is likely to gain but little insight into the real causes of price.

I have three ways, my Lord, of proving that your map is inefficient for the proof you wish it to establish.

1. That if it succeeded in proving, to the whole extent of its endeavour, that restriction had coincided with low steady price, during the period you have chosen, and free trade, with high fluctuating price, yet the argument from their coincidence is

too weak to prove their relation of cause and effect.

2. That the coincidence is by no means so remarkable as you have attempted to show it.

3. That there are other more remarkable concurrences which do stand in the relation of cause and effect, without resorting to the paradox broached by your Lordship.

When two facts coincide, there is no fallacy more common than for a shallow reasoner to call one of these facts, cause,—and the other, effect; taking care to place them in the relative position that suits his own argument. Thus, when Owen Glendower wishes to exalt his own birth, he boasts

“The earth did shake when I was born,

“The heavens were all on fire, the earth did tremble.”

But Hotspur, though more famed for deeds than words, answers him most logically, by showing that other causes might have contributed to this effect:

“Oh, then the earth shook to see the heavens on fire;

“And not in fear of your nativity.”

Is not, then, such a superficial mode of reasoning unworthy your Lordship's mind? and yet, my respect for your Lordship's acknowledged virtues prevents me supposing that you could be blinded by an interested motive. I shall, indeed, throughout the few lines I intend to address you, abstain from any vulgar allusions to the poverty of Scotch land, the probability of poor lands being thrown out of cultivation by free trade, &c. from the belief that such

causes cannot affect your Lordship's patriotic integrity, and the certainty that abuse can lend no aid to my argument. You have too deep an understanding of the human mind not to know the value of a fact in an argument—one isolated fact. You well know how pleased the noble House is which you are in the habit of addressing, when you say, "But, my Lords, I will now take leave of vague theory, and apply myself to the fact."—(Hear, hear!) But, my Lord, out of that learned assembly, what adult mind would be contented, when you told them, that two facts had happened the same day; and that, consequently, one of these facts necessarily occasioned the other?

If any member of Boodle's was told, that the walls were all wet the day His Royal Highness the Duke of York died, would he be stupid enough to believe, that the lamented death of His Royal Highness occasioned the humidity in the club room? or tell him that, whenever one of the Royal Family died, the same thing had happened, would he, even then, believe, that "universal nature did lament," and that the walls had wept for loyalty? But if he inquired, and found out that all the Royal Family, having very strong constitutions, had died in hard winters; and, that at the conclusion of such seasons, it was a notorious fact, that the wet which stood upon the walls was to be accounted for by chemical causes; or that there had been an immemorial custom, instituted by the

wisdom of their ancestors, always to wash the house upon a royal demise ; or that the lighting an unusual number of fires, to enable the members to come and gaze at the early procession, occasioned the damp ; or many other concurring facts that I might imagine ; would he not be inclined to attribute the curious coincidence to any or all of these ordinary expositions, instead of exclusively to the most paradoxical of any ?

Are you not, then, afraid, my Lord, that even among that enlightened class for whom you undertake geography, some one may arise less dull than the rest, who may attribute the fluctuations in the course marked by your chart to the variety of the seasons—the alterations in the population—the changes in the currency—the anxiety of the dealers—the ignorance of the landlords—the periods of war and peace—rather than to the least probable cause of any, for the cheapness of an article—namely, the diminution of its supply ?

“ No wonder they call this place Stony Stratford ; for I never was so bitten by fleas any where as here,” said the illogical traveller, and yet no less logical than your Lordship : for, like you, he found two concurrent facts, both of them true. The place was really called Stony Stratford ; and I have no doubt that he was really bitten by fleas. From this he concluded that the place had been named, from the only eminence he knew it to possess. How then can your Lordship quarrel with this

gentleman's idea of cause and effect? All this supposes your Lordship's map to be perfect—and, I think, proves, that if it proves all it intends to prove, it yet proves nothing more than the sagacious traveller did in the story. But I have a still more serious attack to make upon your Lordship's *charta paradoxa*; and, for this purpose, laying the map upon the table, I propose to examine it line by line. The principal evidence against it, to whom I wish to draw your Lordship's attention, is Mr. Tooke, in his invaluable work upon High and Low Prices. With this publication by the side of your map, let us proceed, my Lord, to consider the difference of the Russia merchant and the agricultural Peer.

My second argument is, "That the coincidence is not so remarkable as you have attempted to prove it."

Your chart, my Lord, is headed by a declaration, that it is intended to open the eyes of the manufacturers and consumers of corn to their true interests; and, consequently, I suppose it means to show them that, by a protection to the interests of the landlords, they will obtain the cheapest and steadiest supply of corn. Such a Mercator's projection from you, my Lord, is noble on the face of it. You banish all interest—you do not come before the public, saying to the Government, as others do—I am a poor aristocrat, who depend upon the cultivation of land, and growth of corn, for my

carriages and horses ; my French cooks and Italian confectioners ; and all my comforts. For God's sake, protect me ! or you will lose the inestimable blessing of your landed gentry, who are only kept alive by a monopoly of your provision-market ; who are only kept in good health and good humour by filling your gaols with stout young poachers ; and only kept in their estates by giving them power to imprison anybody that comes near them. No, you discard all personal or political feelings. You say to the bread-eater, " It is for you I wish all this :—our interests are the same—you are the buyer, and I am the seller ; but yet, my good friend, there is nothing in this world I have so much at heart, as to let you have my goods as cheap as ever I can ; and, therefore, let me assure you, the only way to do this, is to allow me to be the only person who ever offers you any thing for sale ; and depend upon it, I shall always do it cheaper than if you went about asking all the tradesmen in the market, who would give it you for the least money." If one of your countrymen, who came from further North than yourself, my Lord, were to offer you so fairly, would you give implicit reliance to him ? or is it only for us, Southerns, that such proffers are fit ?

The next line is also in capital letters at the head of your chart. I do not think these capitals were necessary, my Lord : such is the diffusion of education now, that most landlords read running

hand; and, if it was meant to catch the eye, is not that of the consumer as quick as the grower of corn? Let us see why it should be hidden from the former.—The first half of your Map contains the period when “the policy of the Legislature of this country was to rely on the encouragement to our internal agriculture as the best means of securing a steady increasing supply of grain;” and you explain this to mean, from the statute of 22nd Charles II. (the squire’s *beau idéal* of legislation) to 1764, when the importation of corn was allowed by proclamation, and the exportation forbidden, by annual Acts of Parliament, for nine years. After this explanation, the reader is naturally surprised to find that your chart does not begin till 1700; but this is afterwards accounted for by your Lordship, and will be more fully accounted for by me, with the assistance of Mr. Tooke, when I come to consider the under-lines of the chart. The second half contains the period when “the policy of the Legislature of this country was to rely, *more or less*, on an increased supply of grain from abroad;” and it must be confessed, that when the eye glances down upon the whole, joined together, it is astonished at the low regularity of the line in the first period, and the peaks and mountains, hill and dale, up and down, traversed in the second. But, if the courage is not quelled by this scale of mountainous prices, let us examine

this period of *more or less* supply from abroad. From 1764 to 1774, the first ten years of the period, your Lordship seems to consider the trade as perfectly free, and yet a reference to the annual Act your Lordship enumerates, shows us that the Act of 22nd Charles II. was still on the Book, though suspended by an interference of the Legislature every year. Now, as regards foreign importation, there cannot be a more uncertain state than this: unless it is known abroad that we are dependant upon their supply, in bad seasons, would any merchant, in his senses, take the trouble of conveying corn from the Baltic, or from the Mediterranean, or America, to England, with the risk of finding its sale prohibited on its arrival? —Anxious and nervous as such speculators are known to be, is it probable that any portion of land on the Continent would be devoted, by its lazy proprietors, to the growth of corn for the supply of a country which would reject their offers when they had ruined themselves to make them? Such an existing law, with such a deviation from it, might enable us to profit occasionally by the superabundance of neighbouring foreign markets; but what hope could we entertain of a steady supply from such a hazardous speculation? In 1773, the law was altered to a small fixed duty at 48s., and a bounty on exportation under 44s.; and, if I were inclined to adopt your Lordship's mode of argument, I might here say, "See my

knowledge of the foreign merchants' speculations proved; for, by your own table, more corn was imported in the next five years than in the last :” but I am ready to admit that other causes might have produced this effect. In 1791, this duty was raised, and the price of corn rose till 1795, when we certainly arrive at the most curious coincidence in your Lordship’s chart, in favour of your argument :—hitherto the policy having been to depend *less and less* upon the supply of foreign corn, in 1795 it is, on a sudden, reversed, and a bounty given on the importation. In the account of these years of importation, there is an inaccuracy, however, which I shall attribute merely to negligence, as I before promised. The bounty of 1795 was only for that year, and though the importation was allowed duty free, no bounty was again given till the winter that ended 1799 and began 1800. Your Lordship’s map would show that, from 1796 to 1798, the price of wheat fell from 83s. to 54s., and it is exactly these two years that would best demonstrate the principle of free trade, if your Lordship’s mode of argument was allowable; for, though the Act of admission was only for a limited time, yet there was no suspended Act of complete exclusion ready to thwart the speculations of the foreign merchant in years of abundance, as in the period from 1764 to 1774.

Yet, my Lord, I will allow, candidly, that

the six years, from 1795 to 1801, do prove your theory, as far as such a paradox can be proved by such an argument. During all these five years, there was as great fluctuation, and, during the three last, as high a price, as ever existed in this country. During these years, the country must have been distressed beyond measure; and, during these years, they gave a premium against the landlords, which no political economist could defend. But, need I again repeat, my Lord, that this single coincidence proves nothing?—need I remind your Lordship of the extraordinary scarcity of these seasons—of the long war that was just beginning, with every prospect of duration, from the dread of the French Revolution? But, for the moment, I will leave your Lordship to exult in these five years of famine and free trade;—yet, if free trade be the cause of scarcity, how comes it, my Lord, that, in 1802, the price fell from 125*s.* to 67*s.*, and there remained till 1804; when, on the imposition of a duty by a new law, it continued rising, till it again reached 125*s.*? This brings us within a year of 1814, the period of the turbulent discussions of the Corn Laws, within the memory of most of my readers. From then till 1826, a period of twelve years, it is curious to observe that, not once is the average price the same for two years together, and only once is it in the same square of your Lordship's map. The mention of these squares makes me

halt a moment in my inquiry as to the conclusions to be drawn from your map, to compliment your Lordship upon the admirable arrangement of it, and to thank you for its great utility, even to those who make use of it to arrive at different results from its Author's.

I hope, by this time, that I have convinced your Lordship that the coincidence your chart is meant to illustrate, is not so remarkable as you supposed, even if it could be accounted for no otherwise than by the paradox with which you have entertained the public. But, perhaps, you are surprised that I have confined my observations hitherto to the second half of your chart. Let me now give your Lordship my reason. It is, that in the first part of this chart I think you have made the greatest *mistake* of all your mistakes. In the explanation, the reading part of your chart, you have carefully altered the value of money in the last century to its value in this, by which you have raised the price of 53*s.* to 125*s.* Not so in the illustrative part of the chart itself; there you have confined the deviations of your line to the low regions of the ancient value; there you have *forgotten* to take notice of the change from the quarter of eight bushels to the quarter of nine; and this may, perhaps, my Lord, when you are reminded of the negligence, account to you for the extraordinary difference in the height of your course through the first and last half of your chart.

As 53 : 125 :: 67 : 156, to which height your chart does not rise—to which height, however, corn must have risen in 1709 and 1710, had your Lordship's attention been directed to the difference in the value of money, as well in the chart itself as in its explanation. What a difference this mistake has made to the eye of the consumer ! for though, as your Lordship justly observes, steadiness of price is the desideratum both for buyer and seller, still you cannot deny, that the difference of the scale of price is one of the most striking results of the comparison of the two halves of your chart. Indeed, it is only for the last thirty years that the fluctuation in the last half is excessive ; for, from 1765 to 1795, I believe, the narrowest inspection could not discover a greater fluctuation in your line, than from 1700 to 1765. Certainly, during the ten years which you call the perfection of free trade, the price was less varied than in the preceding deced, from 1755 to 1765, during which period, the line rises and falls between lat. 20 and 60 ; while, in the times of freedom, it is confined between 60 and 40.

One glance at the united halves, my Lord, and I will cease to trouble you with my own observations ; and rely, henceforward, on the evidence of Mr. Tooke, who, I am ashamed to say, has, as yet, laid unopened on my table.

Upon the first *coup d'œil* at the line in your Lordship's map, the Squire's eye, following the zig-zag of your course, makes him imagine, that the

Legislature held a course of policy as crooked as this; and that, whenever the line sinks, it sinks with a duty; and whenever it rises, it rises with freedom. If he rests satisfied with the pleasing and prejudiced delusion, deep and dismal is his ignorance; but no blame to your Lordship, for, in small letters at the top, you have told him that, during the whole of the first sixty-five years, "the price of grain continued to diminish in an average number of years, whilst the *only* legislative measure was suspending exportation in the years 1709, 1741, and 1757, and permitting importation, for a short time, duty free, in 1757, by the 30th Geo. II. c. 1."

To examine the first assertion, let us take the average of the first ten years—we find it to be 34s. from 1700 to 1709, including the last year at the extraordinary price of 69s.; the highest of any during the first period of your chart. In the last ten years, from 1755 to 1764, we find the average to be 37s., though they were all ordinary years. Is this what your Lordship promised us? or how do you account for the difference of the explanation and the line of your map? Is it, that your Lordship depends upon the indolence and ignorance of your readers, that they should only look at one at a time, like the Oxonian, who boasted of having read Euclid without being childish enough to look at the cuts? or is your Lordship, yourself, under some error of political arithmetic? But, instead of taking an equal number of years from the

end and the beginning, your Lordship has thought proper, either to pick out the years best fitted for your purpose, or has *accidentally* hit upon the thirty-five last years, and the thirty first years. Now, it so happens (though of course your Lordship did not observe it), that the five middle years are the very lowest of the whole line, and these you have thrown into the balance of the half where you wished to make out the least average. Had you divided the period exactly, still you would have got what you wanted, a bare increase in the average; but, not content with this, you have procured yourself a handsome majority, by boldly assuming an unequal division. But does this prove a diminishing average the longer the law lasted? which is the consequence you announce in your exposition of your chart? Would not that be much better proved by comparing the first and last ten years as I have done? for upon an average of one-half with the other, it might happen, that the scale of progress in each half might be from minus to plus, though the result of the whole should be from plus to minus.

Surely, my Lord, it is most trivial, and unworthy even of the weak fraternity of arguments that adorn the margin of your Lordship's map, to make the whole legislation of the necessaries of life depend upon an accidental difference of 2*s.* per quarter, during a period of thirty years.

Again, in the second half of your chart, where you have also taken an inexact division, you say:

“It appears also, that the price of wheat increased, as well as the quantity of grain imported, the longer this system was persevered in; for the price of wheat, on an average of thirty-one years, from 1765 to 1795 inclusive, was 50s. 7½d. per quarter, and the annual average of imports over exports, was 402,518 quarters; whilst on an average of twenty-nine years, from 1796 (*when a bounty on importation was first granted*) to 1824 inclusive, it rose to 86s. 1d., and the average annual excess of grain imported, over grain exported, was 1,511,473 quarters.” The excess of import over export I dismiss—it is no argument. It only shows the fact of dependence on foreign supply—it does not prove the evil—and is here only brought forward to raise the passions of the phrenzied landlord, as he peruses your Lordship’s map; like the cunning stable-keeper, who rattles the corn sieve as the racer approaches the goal.

But how will this same landed gentleman understand the bracketed sentence—(*when a bounty on importation was first granted*)? why, as any plain dealer would; he will understand it to imply, that the bounty lasted during the whole twenty-nine years. Was this the case? Did you not know it not to be the case? The bounty lasted till 1802, missing 1797, 1798, a period of five years; and, during the last twenty-four years, no man has ever dreamed of a bounty; the whole country would have been up in arms; the squire would have

called him poacher ; the parson would have dubbed him atheist ; the peer would have christened him radical ; and the Earl of Lauderdale would have abused him as a new-fangled theoretical Canningite. Be sparing, my Lord, of the hasty expressions of speech in others, when you see to what errors your Lordship's hurry in writing leads. Let me now put my promised query. Why, my Lord, did you depart from your first purpose, and commence your map at 1700? because, you say, the office of Inspector of Customs was not appointed till 1697. At first, this reason savours of accuracy, and falls in with that love of round numbers of which your Lordship was aware, when you made your chart *teres atque rotunda* as it is ; but is there no other reason ? might not the notorious barrenness, and proverbial high price of the last eight years of the seventeenth century, have spoiled the smoothness of your line ? have rendered unequal, high, and fluctuating, the steadiness with which it gently meanders through the first half of the map, and created an awkward and confused similarity with the devious precipitate course it pursues in the latter half ? How completely this would have marred your Lordship's map ! how disgusted would the eye have been with the sameness of the style ! your Lordship would have been left as disconcerted as Miss Lydia Languish in the play—

"So there will be no elopement, after all."

No antithesis—no paradox—no curious coincidence to meet the eye—no obvious appeal to facts. The simple inclusion of that batch of years would have ruined one of the prettiest paradoxes, and marred one of the most curious charts in the world! Has your Lordship forgotten, or will your Lordship deny, the barrenness of the eight last years of the seventeenth century? Mr. Tooke's book lies open before me, at p. 230, second edition. Will your Lordship open at the same page, and take the trouble of perusing this enlightened author's references to the Farmer's Magazine, to Adam Smith, and to the contemporary authorities, for the accounts of these seasons, and the prices they produced, beginning at sixty, and increasing till further exportation was forbidden, in 1699; in which year your Lordship's scene opens, and discovers, in 1700, wheat at 35s. of the money and bushel of that day.

Never mind the delight of your friends at the judicious moment of raising the curtain—"Se judice nemo nocens absolvitur." You and I, my Lord, have been behind the scenes; and know to what tricks the piece owes its success. Let us now proceed to examine its merits during the performance:—

Eight years of a price between	- 20s. and 40s.
Two years between	- - - 50s. and 70s.
Twenty years between	- - - 30s. and 50s.
Nine years between	- - - 20s. and 40s.
Seventeen years between	- - - 20s. and 50s.
Eight years between	- - - 20s. and 60s.

make the whole variation between 20s. and 70s. in the sixty-four years.

During this period, exportation was generally encouraged or allowed; which, though it could not diminish price, must diminish the fluctuation of price; and, although no political economist would encourage it by a bounty, without the bounty, he must concede that satisfaction to land-owners; for it is one-half of their bug-bear free trade.

The power, too, remained with the Legislature, and was exercised occasionally, of prohibiting exportation when prices were high, which also contributed to their steadiness. Even importation, duty free, took place in 1728 and 1729, of which your Lordship has taken no notice; and was allowed once, for a short time in one year (1756), according to your Lordship—for three successive years according to the statute-book—frequently, according to the Parliamentary Review (p. 690)—and so frequently as to show the absurdity, and, finally to cause the alteration of the law, according to Adam Smith, in the fifth chapter and fourth book of his “Wealth of Nations.”

I cannot wind up this examination of the first half of the chart better, than by an observation of Mr. Tooke's:—“If the Legislature is to have the credit of the low range of prices, which is chiefly observable between 1700 and 1765, how happens it that a similar degree of cheapness should have prevailed in France during precisely

the same interval, as it appears to have done, by the statement of prices in the article 'Corn Laws and Corn Trade,' in the Supplement to the *Encyclopædia Britannica*?" Allow me also to recommend to your Lordship, as a hint for your next Address to the House of Lords, the speech quoted by Mr. Tooke (Appendix, No. I.) of M. le Caradeuc de la Chalotais, Procureur-General to the Parliament of Brittany, when he carried into Court the edict of July 1764, to be registered; beginning—"I have the honour to inform you of the most signal benefit with which his Majesty can gratify his people—a liberty to trade in corn."

In the second part of your Lordship's travels, for the first thirty years you but once wander out of the latitudes of 40 and 60.—So much for fluctuation up to the celebrated year 1795, when begins the period of seven years, during which I allow the coincidence you point out to be curious, and therefore reserve the refutation of its being the consequence of the cause you mention till the third part of my argument. After this period, came two years of high, but steady, price, under the same bounty on importation; and then comes the new duty, in 1804, and ten years of fluctuation; after which, the scene closes with the last law of absolute prohibition up to 80s., and at a farthing under that point, absolute freedom of trade; during which period, the fluctuation, in such a map as your Lordship's, excites a smile,—in

the history of the hunger of our fellow-creatures, makes us melancholy and miserable. Fluctuation of price is the allowed evil. When was that fluctuation least, for the longest time?—during the period of free trade and trivial duty, from 1764 to 1794. When greatest, during the longest period?—during the existing Corn Laws. Is this the result proposed by your Lordship's map? Can your Lordship deny that it is the result arrived at? Are not the conclusions, that an intelligent unprejudiced mind would arrive at from this map, exactly the contrary to what your Lordship's intelligent mind has arrived at? Would not such a mind, entrusted with the power of legislation, prefer any law to the present law? Does not your Lordship obstinately prefer the present law? Such are the queries with which I shall end my second argument, thinking that I have shown the coincidences of your chart to be neither numerous, nor wonderful, nor even historical. I have now left, for my third argument, to prove that the *only one* that merits either epithet, can be better accounted for by other causes than by your Lordship's paradox; but, before I enter upon this detail, allow me to ask your Lordship one question, *ad hominem*.

Would you, as a land-owner, prefer the enormous gains, during the last half of your chart, made by the class to which you belong, or return to the barren lands which they possessed during the first half?

3. That there are other more remarkable concurrences which do stand in the relation of cause and effect, without resorting to the paradox broached by your Lordship.

My Lord, if your patience and candour have borne with me thus far, you will perceive that I have confined myself, in my criticisms on your chart, to the statements yourself has made; all the while presuming them to be correct:—if they are not so, it is from the public that both you and I must ask pardon. I now come to a part of my argument in which it will be necessary, if not to contradict your statements, at least to reverse the relation in which they stand. Here begins the detail of my argument;—here, in attacking your accuracy, I begin to tremble for my own: but I approach the question as a critic, not as a partisan; if I fall into error, it is the error of those I consult; it is not the mist that obscures my vision, but the hand-post that misdirects my way. Your Lordship has set me the example of industry, and what cause can ever excite us, if we will not labour for our bread?

First, then, you have mistaken the cause for the effect.

Secondly,—The fluctuation of prices was caused by the seasons.

Thirdly,—It was caused by the currency.

Fourthly,—It was caused by the difference of population, and the chapter of accidents.

When I have proved these four heads, I shall think my third argument concluded—that other causes produced the consequence than that you mention; and I shall have nothing left but a farewell to your Lordship.

First, then, your Lordship's friend (and authority for your present purpose), Mr. Hume, has the following definitions of cause and effect, in his Essay on the Idea of Necessary Connexion:—
"We may define a cause to be an object followed by another, and where all the objects, similar to the first, are followed by objects similar to the second; or, in other words, where, if the first object had not been, the second never had existed. The appearance of a cause always conveys the mind, by a customary transition, to the idea of the effect—of this also we have experience; we may, therefore, suitably to this experience, form another definition of cause, and call it an object followed by another, and whose appearance always conveys the thought to that other."

Dr. Brown, a gentleman who was, or ought to have been, well known to you, in his volume on Cause and Effect, calls the former "the invariable antecedent of a change," and the latter, "the invariable consequent." None of these definitions are unimpeachable, I may say so with modesty, for these two wonderful men have confessed it themselves; but they both require antecedence, and perpetual antecedence, in the cause; and

consequence, and perpetual consequence, in the effect. I shall show that your Lordship's cause is never antecedent; and, after that, I need not labour the point that it is not *perpetually* so; although, if my object was to multiply convictions of your Lordship for false reasoning, I might waive the first objection after proof, in order to establish the second. I am the more particular in defining cause and effect, because this is an old blunder of your Lordship's; for, in your Essay on Public Wealth, you say that consumption precedes production: no wonder, then, that you now say, that laws to regulate price precede the knowledge of price.

In the middle of this dry dissertation, I will cheer your Lordship with a story; and, to make it more palatable to you, it shall be one of our highly-valued Foreign Secretary. Mr. Canning, when he was nothing but Mr. Canning (before he had attained the glory of praise from all rightly-thinking men, and of censure from your Lordship), attended the British Forum the evening of a debate on the conduct of the chairman. The discussion was a charge of embezzlement of the sixpenny duty upon admission of strangers. There were some philosophers, *new-fangled theorists* of that day, who were for free trade in declamation; others, practical men, persons who neither were, nor wished to be, wiser than their ancestors, upon whom experience had no effect, to whom time had taught no lessons, were

against innovation, and preferred debating *clausis foribus*. These gentlemen had little land, I dare say, but they were as unwilling to hear reason as those *terrarum domini* who coughed at Mr. Brougham the other night. Altercation began; from words came blows; chairs were hurled about, and carried conviction with them wherever they fell. "When the storm subsided to a calm," Mr. Canning proposed, "Henceforward that the chairs should be fixed, and the Chairman moveable." Now, my Lord, I introduce this story in order to propose a similar *vice versa* amendment in the constitution of your Lordship's understanding:—that, "henceforward, your Lordship's *conclusions* should be fixed, and your Lordship's *confusions* moveable."

The serious argument, my Lord, runs thus, if you will cast your eye once more upon your map.

The first interference of the Legislature is in 1709, prohibiting exportation. The Queen's Speech, December 1709, (see vol. v. p. 802,* Parliamentary History,) recommends the high price of corn and distress of the country to the notice of the Commons. Exportation is prohibited, in consequence, in 1709 and 1710. The next year the price falls, and continues falling till 1712. Here, then, an Act unfavourable to the home-grower is antecedent to the cheapness of corn. The low price continues till 1728, during which time no Act passes; the old

law remained in force, and no corn was imported; not because it was prohibited, but, because it was not wanted; as I shall show when I describe the effects of the seasons. In 1728, the price rose to 48*s.* 3½*d.*; and, according to the "Inquiry into the prices of wheat, malt, and occasionally of other provisions, as sold in England, from 1000 to 1765," from which Mr. Tooke makes his quotations, in 1728:—"An Act passed, settling the Prices of imported Corn;" and, in 1729, "An Act relative to the Importation of Corn." I own the Parliamentary History and the Statute Book say nothing of these Acts, so that I cannot say what they were; but what their consequences were, the account of imports and exports shows us; the excess of the former being, in the first year, 70,639, and, in the last, 21,322. [*Vide* Compendium of Laws relative to Imports and Exports.—1827, Ridgway.] The fact of the importation proves, either that some such act, proclamation, or order in council was made; or, that corn had risen to that height at which, under the existing law, the foreigner was able to import. In the first case (as the price fell, till in 1731 it came to 23*s.* 8¼*d.*), this second interference, in favour of the consumer, for the mitigation of the existing agricultural law, was again antecedent to the fall of price, and consequent to the rise; and, therefore, may fairly be considered the effect of the rise and the cause of the fall. In the second case, the prohibitory law could certainly not be the cause of the price at all,

as it was, at the time, a dead letter. In 1740-41, we have again legislation for the consumer, consequent on high price, and antecedent to an immediate decline of price, in 1742. Your line is then steady till 1751, fluctuates till 1757, when it has again risen, and is driven down by three years of prohibited exportation, and permitted importation. This is the last act of legislation recorded in the first half of your Lordship's chart. I cannot imagine, that any person can be found sufficiently paradoxical (always excepting your Lordship) to suppose, that, in these three instances, when, in the same year, corn rose to the pinnacle of price to which it had been gradually ascending, and the Legislature interfered in favour of the buyer, upon which it immediately fell, and continued gradually falling; that legislative interference caused the high price that preceded it, and was caused by the low price that followed it. I shall, therefore, no longer dwell on this fact; but leave your Lordship to debate the point with Mrs. Malaprop, who talks of "all her ancestors that came after her, and all her posterity that went before her."

For the cause and effect of the ten next years, I refer your Lordship to the preambles of the annual Acts of Parliament; which, if they do not convince you that they were passed in consequence of high price, will, at least, have the usual weight of authority with you, for the wisdom of our ancestors thought so, and saith so.

The parliamentary history also of this time may be read with great interest, in relation to this subject, beginning with the King's Speech of Nov. 11th, 1766, in vol. xvi. (when Parliament was called together on purpose to consult on the high price of corn) down to the King's Speech of Nov. 6th, 1772, vol. xvii. p. 516, in which he still complains of the scarcity, and in consequence of which the Act of 13 Geo. III. c. 43, was passed. In the preamble to this Act, the annual Acts lately passed are noticed, and the necessity of regulating the imports and exports by a permanent law declared. This Act took effect from January 1774, at which time wheat was at 59*s.* 1 $\frac{1}{4}$ *d.*, and continued in force till 1791, when wheat was at 49*s.* 4*d.*; at which period, we find the country gentlemen grown clamorous (see Parliamentary History), and a higher scale is enacted. What follows? —the price remains the same for two years, rises the third, and reaches 81*s.* 6*d.* in 1795. If, as your Lordship argues, the protection to agriculture caused low or steady price, why did it not again, in this instance, depress, instead of elevating, your line? The author of the celebrated Corn Tracts allows nine years for the effect of a country changing from importation to exportation. Surely, then, two will not be too much for the change from importation, with a duty of 6*d.* at 48*s.*, to importation, with a duty of 23*s.* 10*d.* at 50*s.*? If we allow so much time for the change to take place,

we have the law protecting internal agriculture exactly antecedent to a high and fluctuating price. Moreover, this high fluctuating price is again antecedent to the King's Speech of October 29th, 1795, and the cause of the law for bounties on importation, that passed in the winter of 1795-96, unless your Lordship still imagines that the Act passed in the winter, not only caused the high price in the preceding summer, but also the King's Speech in the preceding autumn. Well, my Lord, the bounty on importation had no effect upon price in 1796; but, as soon as the foreigner had time to grow corn, and enter the market, he brought down the price, in 1797, to 62*s.*, and, in 1798, to 54*s.*, just to the level of the year 1794, which preceded the imposition of the bounty. If ever cause and effect could be argued from a single palpable instance, it is this—1794, 54*s.*; 1795, 81*s.* 6*d.*; 1796, 80*s.* 3*d.*; 1797, 62*s.*; 1798, 54*s.*; are the prices in five given years. Was there any act of legislation in 1794 or 1795 to account for its rise?—None. Was there any in the last three years to account for its fall?—On December 24th, 1795, passed the Act giving the bounties on importation for a year; and, in the two next years, Acts were passed, prohibiting exportation and allowing importation, duty free, but without bounty; at the end of which two years, the price was reduced to its former level.

But I will delay no longer to meet the only coincidence of your chart—the single instance in which it might appear that importation caused a year's high price; and I shall endeavour to meet it as seriously as if the proposition did not fall to the ground by the attraction of its own absurdity,—as naturally as the apple that first arrested the attention of Sir Isaac Newton fell by its own gravitation. Cunning as you are, my Lord, you will find it hard to establish so astonishing a theory from a single fact; although, had you been in Newton's place, you would probably have inferred, from the fall of the apple, that the law of nature was, that it should rise. However tired you may be, my Lord, of waiting for my account of the high prices of these five years from other causes than your Lordship's, I see such glaring errors arise from your inaccuracy, that I am determined to be methodical, and shall, at the present moment, adopt another answer to your proposition.

Before we infer any consequence from a law, my Lord, it is of considerable importance to know when that law began to take effect. If you had attended to this, the public would have been spared the errors of your chart—"Mark how a plain tale will set you down:" A bounty on importation was allowed by 39th Geo. III. A. D. 1799, but how much was spent in this bounty?—£.16. Corn rose in spite of this tremendous outlay; but, in

1800, the new law began to be known; the foreigner received a bounty of £.44,836 upon his importation; in 1801 he received £.1,420,355. What followed?—In 1802, we find the line in your Lordship's map, descended from 128*s.* to 67*s.* Here, then, once more, is immense importation *antecedent* to immense decline of price; and, where your Lordship's line had excited our wonder, by the rise it made during laws made to prevent such rise, it now excites our ridicule; for we find *the law did not take effect!* What is it that ripens fruit in summer?—The sun. Then why not in winter?—Perhaps it is because it does not shine. Will your Lordship allow this reason; or, will you still retain your peculiar ideas of cause and effect?

Let us pass to 1804, when we see, by the Parliamentary Debates, that the effects of the importation had driven the landlords to despair; and the law of 1791 (for the bounty system had ceased during the last two years, and the law of 1791 was considered the permanent one, and is the only one alluded to in the debates of 1804), was changed to the still higher minimum importation price of 63*s.*, with a duty of 24*s.* 3*d.* Upon this, corn immediately rose in 1805; for there is this difference between a change from exportation to importation, or from a low to a high duty on importation. In the former case, some time must elapse before the

foreign speculator is aware, or secure of the market; in the latter case, a sudden diminution of supply occasions a struggle for what remains, and the rise of price is immediate. In 1806-7, the decline of price followed the large importation of 1805; after that it rose gradually, in spite of large importations, to 128s. in the year 1812, when the importations exceeding all previous importations of the last five years, and the law, passed in 1806, to unfetter the trade with Ireland, took effect, and reduced the price so low as to alarm the squires in 1814-15. How gradually this import from Ireland took place, the following numbers will show: 1807, 45,111 qrs.; 1808, 43,497 qrs.; 1809, 68,124 qrs.; 1810, 127,510 qrs.; 1811, 147,567 qrs.; 1812, 160,243 qrs.; 1813, 217,154 qrs. If your Lordship is inclined to persist in these importations being the cause of the high prices, instead of the effect, will your Lordship account for the fall in 1813, from 126s. to 85s., in which year the importation exceeded the two preceding years? Again, in 1817, the high price followed the restriction in 1814 and 1815; and the decline, in 1819, followed the importation in 1817 and 1818, of 2,784,116 qrs. After this year, there was no importation (except from Ireland—a country, of which your Lordship takes as little notice as the rest of your Peers of Great Britain), wheat being below the restricted price, till 1825, in which year it rose to 84s.; and

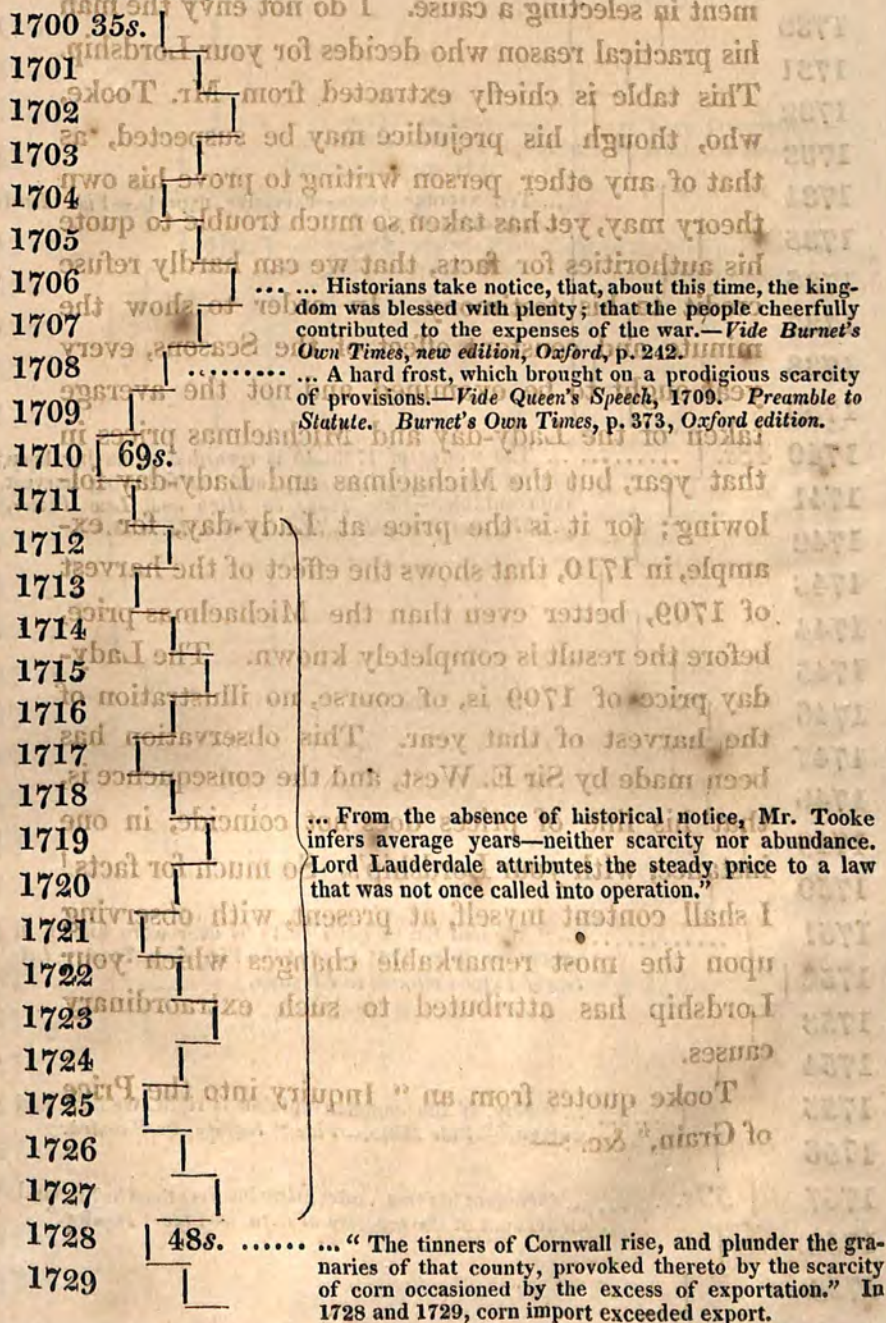
your Lordship leaves us, in 1826, at 73s., while at the present moment we are reduced to 53s.

I have now nearly concluded my office of critic, and here I cannot help expressing my exultation at a mis-statement that occurs at the very end of your Lordship's work. There is nothing so satisfactory as beginning or ending with a forcible word. "If you love me, Sir Lucius, let me begin with a *Damme*," says Bob Acres, when he is about to write a challenge; and I rejoice equally in winding up my critique with so damning a proof of inaccuracy as, that when your Lordship tells us that, from 1819 to 1824, there was an excess of importation of above one million, at the same time your line never rises to the importation price of 80s. Here, my Lord, were I, like the Anti-Catholic portion of the Cabinet, content to reject your solution without offering any of my own, my task would be complete; but, though I have only undertaken the office of critic, and do not intend to propose any measure of my own, or discuss any but your Lordship's, I think it as well, shortly to illustrate the connection between the effects of your chart, and other causes which account for them more easily than your Lordship's error; for, *Secondly*, the seasons will most amply account for them. As the best illustration of this, I have drawn up a table, which, if any person will take the trouble of comparing with your map, they may afterwards exercise their judg-

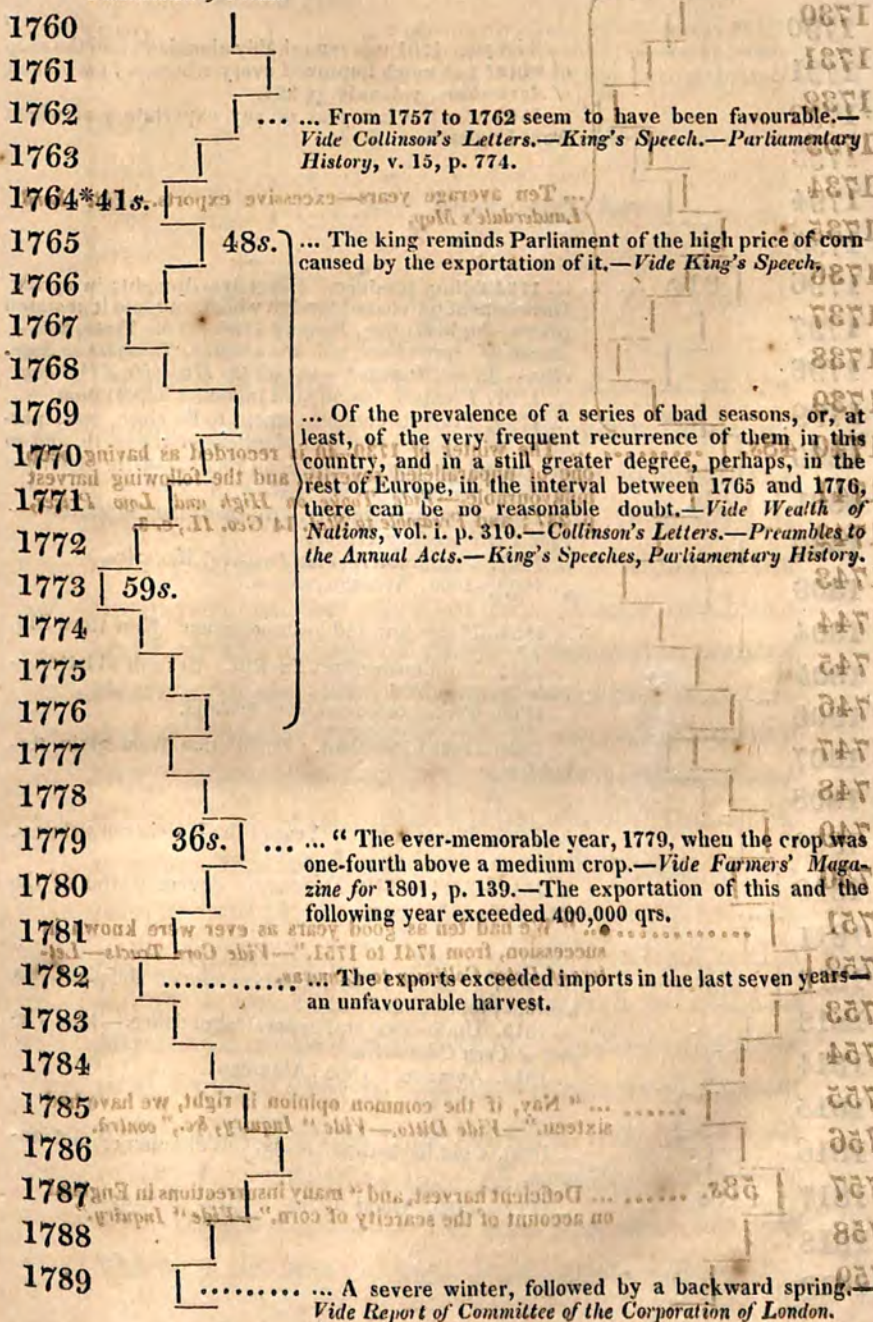
ment in selecting a cause. I do not envy the man his practical reason who decides for your Lordship. This table is chiefly extracted from Mr. Tooke, who, though his prejudice may be suspected, as that of any other person writing to prove his own theory may, yet has taken so much trouble to quote his authorities for facts, that we can hardly refuse credit to his testimony. In order to show the minute and constant effect of the Seasons, every year ought to be examined, and not the average taken of the Lady-day and Michaelmas prices in that year, but the Michaelmas and Lady-day following; for it is the price at Lady-day, for example, in 1710, that shows the effect of the harvest of 1709, better even than the Michaelmas price, before the result is completely known. The Lady-day price of 1709 is, of course, no illustration of the harvest of that year. This observation has been made by Sir E. West, and the consequence is, that his line of prices does not coincide, in one instance, with your Lordship's. So much for facts! I shall content myself, at present, with observing upon the most remarkable changes which your Lordship has attributed to such extraordinary causes.

Tooke quotes from an "Inquiry into the Price of Grain," &c. :—

Fluctuation of Price.



Fluctuation of Price.



Fluctuation of Price.

1790		... The year 1791 was remarkably abundant, and the crop
1791		of wheat was much improved every-where.— <i>Vide Annals</i>
1792		of <i>Agriculture</i> , vol. xxiv. p. 321.
1793		... 1792 was the last year of any exportation of wheat
1794		from England.
1795		
1796	81s.	... 1794 failing produce. Excessive droughts in spring.
1797		Government purchased foreign wheat, and sold it at stated
1798		prices—highest price, January 1796.— <i>Vide Tooke</i> , 262.—
1799		<i>Annals of Agriculture</i> , vol. 24.— <i>Burke</i> , <i>Thoughts on Scar-</i>
1800		<i>city</i> .— <i>Annual Register</i> ,—and all the <i>Histories</i> of that day.
1801	128s.	... 1797. Plentiful season, and immense importation.
1802		... 1799, From its commencement to its close, was, per-
1803		haps, as ungenial to the productions of the earth, and to
1804		the animal creation, as any upon record.— <i>Vide Appendix</i>
1805		to <i>Tooke</i> , for contemporary <i>History</i> .
1806		... 1800. Renewed scarcity. Alarm of the Legislature.—
1807		<i>Vide Parliamentary History</i> .
1808		... 1801. Favourable.— <i>Vide Farmers' Magazine</i> .
1809		... 1802—1803. Average seasons.
1810		... 1804. Prices lowered by importation. New Corn Bill.
1811		... 1805. Petitions against the Bill. Bill a dead letter.—
1812	128s.	<i>Vide Tooke</i> , p. 268.
1813		... 1806. Free intercourse with Ireland.
1814		... 1807—1808. Deficient. Distillation from grain for-
1815		bidden.
1816		... 1809. Worse harvest. Year of the Walcheren sickness.
1817	116s.	... 1810—1811—1812. Deficient. Severe winter of the
1818		retreat from Moscow.
1819		... From 1793 to 1812, inclusive—eleven deficient, six
		average, three abundant.
		... 1813. Undoubted and general abundance.— <i>Vide Re-</i>
		<i>port of Corn Committee</i> .
		... 1814. Average. 1815. Abundant.
		... 1816. Cold backward spring. Wet summer and au-
		tumn.
		... 1817—1818. Good crops. 1819. Average.

Fluctuation of Price.

1820	|	... Undoubtedly abundant till January 1823,
1821	|	when the average was 39s.; the seasons were
1822	|	good; from 1812, one bad, three abundant,
1823	|	five fair.
1824	|	.....Mr. Tooke ends here.
1825	|	
1826	73s. |	

I have, perhaps, not made this account of the seasons ample enough to satisfy your Lordship, but I only intend it as a hint for you to pursue the inquiry; if you mean to deny the inferences, I refer you to the third and fourth sections of the third part of the work of Mr. Tooke on High and Low Prices; a book which I consider, in point of clearness of statement, elaborate accuracy of detail, and admirable arrangement, to exceed in utility any volume that has ever appeared upon these subjects. I have repeatedly mentioned this book to you, because I am sure your Lordship would like to read it; to suppose you have ever seen it, and yet published this map, would be a libel, which I hope I am not impertinent enough to utter on any man's understanding. Mr. Tooke is too practical a philosopher to suppose the effects of a season to be immediate, as your Lordship imagines an act of the Legislature to take effect with the rapidity of a Divine mandate. He sees, too, and most ably explains, the effect of quantity on price, that it is not

the deficiency of one-half for instance, that doubles the price, but a much less deficiency, "owing to the struggle of every one to get his accustomed share of that which is necessary for his subsistence, and of which there is not enough, or so much as usual, for all;" and he argues most justly, "that it is of the utmost importance to bear in mind the operation of the principle of the great increase of price, beyond the degree of deficiency; with a view to accounting not only for the high range of prices, but likewise for the extraordinary prosperity which attended the agricultural interests, during two thirds of the period from 1791 to 1822." "By agricultural interest," he says, "I mean exclusively farmers and landlords, who are alone benefited by an advance of price resulting from scarcity. The condition of the labouring classes, even of those employed in husbandry, is well known to be deteriorated in periods of dearth, *as the wages of labour never rise in proportion to the advance in the price of provisions.*" I introduce this passage, to oppose your Lordship's insinuation in the explanation under your chart, that high price is beneficial to labourers—a favourite theory of landlords; containing about an equal portion of truth and charity. Thus stands the fact:—In agricultural labour, the high price of the article in whose production such labour is employed, increases the demand for it. Unluckily, in this country, the Poor Laws have established a warehouse for labour which is ready

to glut the market the moment any fresh stimulus demands it. The new speculations in which the cultivator of land engages, are performed by men who otherwise would have been supported by the parish (so that a double advantage accrues to the land-owner, he has less poor-rate to pay, and is enabled to cultivate more land). A very small addition may, perhaps, be made to the labourer's wages in consequence of an immense addition to the employer's gains, may-be even just enough to enable him to get the same quantity of bread at the high price as he did at the low; or he may, stimulated by high-sounding wages, work double tides to obtain higher pay; which your Lordship holds out as such an advantage to the landlord and consumer, at the same time that some of your countrymen are encouraging the education of the poor, as if it were possible for a man to toil all day like a beast, and read all night like a philosopher. Either of these changes in wages may assist him a little, and a really honest independent labourer (if the Poor Laws have left such a man in England) may prefer hard employment and wages, to breaking old stones, and parish relief; but it is a wretched delusion, to imagine that there is a certain quantity of labour, and a certain quantity of employment brought into the market, and that if the supply of labour is not equal to the demand, the wages of labour rise, and if it is greater, the wages fall; this is all very true, in a silk or cotton market,

but the labour market differs most materially in this; that there is always a glut of labour, no one who understands the principle of population—no one who has seen the effect of our uncharitable, and unchristian-like Poor Laws will deny it—there are always in this country too many men ready to take the minimum price of labour; especially in agriculture—where there are no strikes—no power of combination—where the whole power of subsistence is left to the mercy of their employer, who is only compelled to feed them for their labour, from the fear of being compelled to share the expense of their being fed without labour. The manufacturing labourer has the advantage of facility of combination, as far as it is, or ought to be, allowed; but then his employer has no increased stimulus, and has an increased expenditure from the high price of corn, so that, though the wages of labour may nominally rise to enable the labourer to eat as he did before, yet a great number of those engaged in it must be thrown out of employ.

My *third* way of accounting for the coincidences of your Lordship's chart was, by the alterations in the currency. On this head I shall be very brief, as I have no wish, at present, to entangle myself in the disputed theories of the currency; I shall merely point out the state of it at the most remarkable periods of fluctuation in your Lordship's line, the first of which is in 1709–10; in which years we learn from Burnet,

that public credit was very low, and money very scarce, having been remarkably plentiful in 1706. This being the only point of extraordinary rise in the first half of your chart, the rest will not require any additional causes to account for it.

The absence of information, and the wide differences of opinion entertained on this subject, will confine this part of my subject to the observation, that the great period of fluctuation in the currency corresponds exactly with that of fluctuation in the price of corn. The period of the greatest commercial distress, and scarcity of money and credit ever recollected, was in 1793 (*vide* Macpherson's Commerce, vol. 4, p. 266), when corn began to rise in price till it reached 81s. 6d. in 1795, and the Bank stopped payment in 1797, and did not resume it till 1819; during which period, the fluctuation of your Lordship's line is the most remarkable. I might elucidate this argument with another table of coincidences in the currency and the price of corn, which I should consider as cause and effect; but the disputes, both as regard fact and inference, are so manifold upon the question of currency; and your Lordship has held out such an awful warning to all rash young politicians of the absurdity of this mode of reasoning, that I shall content myself with what I have now said.

Fourthly,—The coincidences of your chart may be accounted for by the increase of population, and

the chapter of accidents. The increase of population will account only for the increased height of price. It would be nearly impossible to trace it so distinctly, with the inadequate information we possess, as to account for the fluctuations. The few instances where it may be striking, I shall range under the chapter of accidents; by which, I mean the wars, the occasional Acts, the speculations of the dealers, and that infinite variety of causes that imperceptibly affect the price of any article that is brought to market.

I need not dwell long upon the increase of population, considering that I speak to landlords who must be aware of the immense increase of Poor Rates, Inclosure Bills, houses and hovels in their neighbourhood, wherever they live.

Concerning the increase of Inclosure Bills, which at once bespeak increase of population and increase of production, a remarkable fact was stated by Mr. Peel, in his Speech of Friday, March 9th:—"That they amounted from 1688 to 1770 (which, bye-the-bye, he calls the period of restriction, therein including two-thirds of what your Lordship calls the ten years of freest trade), to 690; and, from 1774 to 1815, to 2,892."

Mr. Malthus thinks, that the tendency of population in England, from the last returns, is to double itself in fifty-five years. This would more than quadruple the population since 1700, while

the price of corn, without estimating the difference of money, is only doubled.

If your Lordship is inclined to deny this cause of increased consumption, I must devote another pamphlet to your conviction. If you argue, that it has been accompanied by an increased production, I say, then, you have no reason to complain. Whatever is the cause of the high prices of the last seventy years, it is very clear who has been the gainer by them.

Accident, certainly, is a cause to which, alone, I should be unwilling to attribute the effect; coupled with others, it may serve to show your Lordship how far the Legislature is from being the only cause of fluctuation in price. In war and peace, throughout your map we find the fluctuation nearly even, if we except the last long war, the twenty-three years of the greatest variation—a war unparalleled in history, for the enemy with whom we contended abroad, and the waste and debt with which we were hampered at home. This war was an accident that might form a chapter of itself—a cause to which many persons attribute the whole fluctuation of price in the period. In this very war, how many inferior accidents contributed to the fluctuation of price. It begun in 1793; under what formidable auspices? The dread entertained, at the time, of the French Revolution and its principles, unsettled every thing, and price among the rest. In 1808,

the whole ports of Europe were blockaded against us; the distillation from grain was prohibited (a favourite measure with English ministry in times of distress); the sapient decision of gentlemen upon the amount of wheat they would consume in their families; the frequent interference of Government in purchasing large quantities of corn to anticipate bad seasons (as in Mr. Pitt's famous seizure of neutral cargoes in 1792); the anxiety created by such prospects; all these causes contributed to the fluctuation of price, and an accurate detail of them would be a valuable lesson to your Lordship; but, I fear, the public are already tired of convictions, and, prejudiced by their own laws, cannot bear to see you so often tried for the same crime. That any one may see, and judge of, the charges I have preferred against you, I will here recapitulate the list of your Lordship's errors.

1. That you have misled the public, by stating your chart to be an examination of the period from 22nd Charles II. to 5th Geo. III., and from 5th Geo. III. to the present day; whereas, your line of prices does not begin till 1700; by which means you exclude the years of highest price during the first period.

2. That you call the first half of your chart "the period during which the Legislature depended on encouragement to our internal agriculture;" whereas, the truth is, that internal agriculture had

not so much encouragement from the Legislature in this half, as in the last most fluctuating quarter of your map; not even from the existing law, from which the deviations were so frequent as for Adam Smith to contend, that the law must have been bad which was so constantly suspended.

3. That you have allowed for the altered value of money in the reading part of your map and not in the illustrative line.

4. That you have said, "the longer the protecting system was persevered in, the cheaper and steadier became the supply of corn;" whereas, the years from 1755 to 1764 average higher than from 1700 to 1709, and fluctuate more.

5. That you have divided the period unequally to prove your assertion more strongly.

6. That your averages differ from those of Sir E. West, and the tables given by Mr. Tooke from Eton College.

7. That you have called the whole of the second period one of dependance on foreign supply, *more or less*; whereas, there were only seven years during which it was encouraged, and ten during which it was annually allowed by the suspension of the prohibitory law.

8. That you have given the public to understand that, for the last thirty years, there has been a bounty upon importation; whereas, it only lasted for the first five of that period.

9. That you have argued throughout, that,

wherever two facts happen in the same year, one must be the cause of the other ; whereas, you might as well have said, that the sun shines because your Lordship takes snuff.—Also, that the fact that happens last is the cause of the one that happens first, which is putting the cart before the horse.

10. That, by a mis-statement of facts, and a misapprehension of logic, you have attempted to uphold a paradox opposed to common sense and the interests of mankind.

To explain the curious facts you have collected, I have shown :—

1. That the period of free trade is the steadiest period of your map ; and, though the imports exceeded the exports, upon the whole quantity ; for sixteen years out of thirty-one, the latter exceeded the former.

2. That the history of the seasons amply accounts for the variation of prices.

3. That the fluctuation in the currency accounts for the greatest fluctuation in price.

4. That the principle of population accounts for the period of high price.

5. That the accidents, of war, of the free intercourse with Ireland, of the various interferences of legislation, and all the causes that affect speculation in price, were at work most strongly during the period of the greatest fluctuation.

6. That a period of six variations in the legislation of price might be expected to occasion greater

variation in price than a period of uniform legislation.

7. That the period of agricultural prosperity has been the latter period; the same with the period of the greatest fluctuation, the allowed evil; and the period of legislation most similar to the first, to which your Lordship wishes to return. In the course of this examination, my Lord, I have often been checked by the dislike of thwarting your Lordship's ingenuity; and, as I went along, I have been trying to discover some other theory upon which you might exercise it. Would it do to prove, that the end of a century was always high-priced, because the end of the seventeenth and the eighteenth was? It would be a pretty theory; but I fear no man would feel sufficient interest in its results to embrace it. Suppose you try Lord Malmesbury's idea, that cheap bread is the cause of poaching, and show, that the number of commitments, for the last century, always varied with the price of corn. This would be very plausible for us consumers, because, at least, we might get rid of the present midnight civil war, though at the expense of starvation; but then the country gentlemen would still struggle for that; they like keeping their homicide power, but they don't like losing their perdricide privileges. At length I have hit it, my Lord; at once, to please the starvers and the starved, will your Lordship make a map to prove, that corn has risen in proportion as conces-

sions have been made to the Roman Catholics? The coincidences must be numerous, if properly sought out. I see two already. In 1800 was the Union, when the promise was made of Emancipation, and then corn was at 125s. In 1812—oh, miracle!—a majority of 129 for Emancipation, in the Commons; and in that very year, wheat was at 129s. Is it possible to resist such evidence as this, in a land of Christian country gentlemen?

Farewell to your Lordship! but before you step into your carriage, to go down to the House of Lords, let me solemnly remind you for what purpose our Constitution sanctions that Assembly. To restrain, at once, anarchical fury in the multitude, and to curb despotic tyranny in the sovereign; thus is it supposed to blend together the warring principles of the three forms of government. Now, upon this corn question, the sovereign and the people are united. Who resists them? The House of Lords. For what purpose? Their own emolument. If practical philosophy allows the existence of a large body of men, at their leisure, to eat the bread that is made by the sweat of another man's brow, it is because it supposes such men to be better able to consult for the good of the public, and devote their time for the benefit of those who are devoting their toil for them. If philosophical legislature sanctions hereditary leisure, it is because she hopes that those who possess it will never forget from what state they derive it—will always bear in

mind, that their children may return to that state, and that their parents have risen from it.

Instead of this — instead of being the first to waive their conceded rights in favour of a starving people; if the Lords are the first to dispute upon the least tittle of infringement; nay more, to insist upon the continuance of their superfluity; the nobility of the Revolution is not the nobility of the present day; Philosophy withdraws her sanction from the institution; the cries of hunger are abetted by the dictates of reason, and the distinguishing features of the English Constitution become the scars and blemishes that disfigure its face.

Your's, &c.

My Lord,

A. B.

March 20, 1827.

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THE
SOVEREIGNTY 4
OF
THE GREAT SEAL
MAINTAINED AGAINST THE
ONE HUNDRED AND EIGHTY-EIGHT PROPOSITIONS
OF THE
CHANCERY COMMISSIONERS;
IN A LETTER
TO THE RIGHT HONOURABLE
THE LORD HIGH CHANCELLOR.

By FRANCIS PAUL STRATFORD, Esq.
SENIOR MASTER IN ORDINARY OF THE COURT OF CHANCERY.

LONDON:
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ON THE
SOVEREIGNTY OF THE GREAT SEAL.

MY LORD HIGH CHANCELLOR,

I ADDRESS myself to your Lordship on the subject of the One Hundred and Eighty-eight Propositions subjoined to the Report of the Chancery Commissioners, because I am willing to suppose, that though your signature is affixed to the Report, your Lordship cannot entirely approve of them, inasmuch as, in my view of them, they tend to degrade the dignity of your High Office, and the Disherison of the Sovereignty of the Great Seal; and because my Oath of Office strictly enjoins, "That if I know of the King's Disherison, or Perpetual Damage or Fraud *to be done* upon things which touch the Keeping of the Seal, I shall use my lawful power to redress and amend it: and that if I cannot do the same, then, I shall certify to the Lord Chancellor, or others, which

may cause the same to be amended according to my intent."

The circumstance of Lord Redesdale's signature not appearing to the Report in common with the signatures of the other Commissioners, has given rise to various conjectures; some supposing, that at an early sitting of the Commissioners, the suggestions made by him for the improvement of the practice of the Court not having met with due attention from all, or some of the other Commissioners, he took umbrage, and absented himself from all subsequent sittings; and that when the *one hundred and eighty-eight* Propositions, at last reported as fit and proper to be adopted, were submitted to his Lordship, he found he could not conscientiously approve of them in the gross, and therefore declined signing the Report. For my own part, I cannot conceive that the body of the Commissioners would be wanting in attention to any suggestions of his Lordship upon such a subject, as the practice of the Court of Chancery (though among so many, there might possibly be found some one or two individuals, so fond of their own opinions, that they might), because from nearly fifty years knowledge of his Lordship, and from my own experience in the practice of the Court, which for nearly the

like period has not been altogether inconsiderable, I will venture to assert, without fear of contradiction, that there is no man now living, who is better acquainted with what the practice of the Court is, or ought to be, than Lord Redesdale. Trace him from his Clerkship, served under Mr. Daniel Fox, (whose character, for ability and integrity in the business of a Sixty Clerk, still lives in the memory of the profession, and of whom I have often heard his Lordship speak in terms of the sincerest affection,) to the Bar—and from the Bar to the Chancellorship of Ireland; and read his *Treatise on the Pleadings in Equity*, and there can be but one opinion of the deference due to his learning, his experience, and his judgment. Whatever, therefore, may be the conjectures of others on his Lordship's not having signed the Report, I conclude that his opinion is not favourable to the *one hundred and eighty-eight Propositions* subjoined to it. I will not venture to conclude, that he thinks they may do more harm than good; or that the present practice of the Court may not, in some instances, be improved, with a view to prevent both unnecessary delay and unnecessary expence; but I will venture to declare my own opinion (if I may presume to entertain any opi-

nion at all upon the subject), that no good is to be expected from the super-addition of *one hundred and eighty-eight new Rules of Practice*, to the many hundreds already upon the Records of the Court ; but, on the contrary, fresh opportunities for delay and expence. For this is quite evident upon the very face of the *one hundred and eighty-eight Propositions themselves*, that they are not meant to constitute *of themselves*, a new and a better system of practice, but only to furnish something explanatory, and corrective of the old system. But how *one hundred and eighty-eight new Propositions*, which require a volume, such as has been published by Mr. Beames, by way of companion to the Report, to make intelligible, (however ably that book may be written, and ably written it certainly is,) can make the old rules of practice more easily to be understood, or less capable of being abused, is quite unintelligible to me, who am an old practitioner ; and if so to an old practitioner, it cannot surely be reasonably expected, that the generality of practising Solicitors, or, perhaps I should rather say, young men entering into the profession, will be able to understand even what are the old, or what are the new rules, without spending more time and attention in the studying of them, than can

well be spared from their more material concerns, so as to carry either the one or the other into actual practice; whilst both old and new exist, and are so intermixed and jumbled together as they at present are. In point of number, the Rules and Orders from time to time made by the Court for the conduct of its practice, and now remaining upon the Records of the Court, reckoning from the time of Lord Bacon down to the present, cannot, I think, from a cursory inspection of the different books of practice, including that very valuable one by Mr. Beames, be upon a moderate calculation fewer than five hundred; and I do not include in these the innumerable decisions of the Court on questions arising upon Orders, and which do, in fact, themselves amount to *Orders*. Indeed it appears from Tothill, that the early practice was founded on Decisions of the Court, and not on any Compendium of Orders promulgated as such. I do not mean to say, but that some of the Orders made by Lord Bacon, and succeeding Chancellors, may not be either mere repetitions of Orders, or may not have fallen into disuse. All that I mean to say is, that they are all of them still existing Orders, and have not at any time been reduced into any regular system, or Rule of Practice, and

form only one confused chaotic mass ; so that if *one hundred and eighty-eight new Rules* be now added to them, and no process be prescribed for bringing the whole, both new and old, within some plain, distinct, and intelligible compass, the mass will, as it becomes greater, become also more confused : and I am inclined to think it will puzzle Mr. Beames himself, however industrious, and however expert in legal chemistry he may be, to make the new and the old so amalgamate as to form one uniform and entire system of practice.

If I was to be asked, what is a Rule of Practice, (and these *one hundred and eighty-eight Propositions* must be considered, at least, as intended Rules of Practice,) I should answer some Canons, or certain definite prescribed methods of doing things Professional ; and neither conditional, nor argumentative, nor wanting explanation ; as if *so and so, then so and so*, and the like, which these propositions in great part are ;—they are any thing but certain and defined : and to speak the truth, the adoption of them (I do not mean to insinuate any thing disrespectful to the body of existing Barristers or Solicitors) will bring more and greater difficulties upon the older practitioners, than upon the younger, whether they be Bar-

risters or Solicitors ; for they will have not only to learn the new system, but to discriminate between the old and the new ; and to unlearn and discharge from their memories so much of the old as is abrogated or superseded by the new ; whereas the Noviciates in the profession will at least escape the *difficulty of unlearning*. Add to this, a readiness in practice is not to be acquired from books : a knowledge of practice, so as to make it familiar and easy, and of ready application, is acquired by practice,—and by practice alone ; and the acquirement of it therefore ought to be made easy. Indeed the knowledge of practice is, perhaps, the most useful to a Lawyer in the earlier part of his professional life, and most conducive in the end (as is evident from the Promotions to the Bench) to the attainment of the highest ranks in the profession. But practice, subject to capricious or arbitrary changes, is not practice. And the more Rules or Propositions, call them by what names you please, which either the present or future Commissioners may make to ameliorate, as it is professed, the practice of the Court of Chancery, and the more volumes may be written in explanation of those Rules or Propositions, the conclusion must be, that fresh Rules create fresh occasions for explanation ; and explana-

tion may follow explanation 'till all practice is explained away, or, what is the same thing, nobody will be able to explain the explanations. And it may at last become a question, whether it may not be more for the advantage of the suitors not to have any thing which may be called practice at all, but to leave every thing necessary to be done in the prosecution of a suit, to the immediate direction of the Court, according to the circumstances of each particular case, as it arises. How can that be called a *Rule* which itself requires to be *ruled*; in other words, which requires some decision upon it, declaratory of *what* the Rule is, and *to what* it is directly applicable. But it may be asked, what is the use of pushing the argument to such an extremity; cannot something be done to ameliorate the present practice of the Court? To this, I answer most readily, yes,—not only something, but a great deal. Get rid of the present practice, so far as it is adventitious, and return to, and enforce the old. The present practice may be said to be mainly made up of deviations from the old, suffered to take place, and originating in the accommodating disposition of a succession of late Chancellors, in suffering to be broken, and in some instances Chancellors themselves breaking, through the

strict rules of practice, (with the view no doubt of forwarding the attainment of justice,) and Solicitors always availing themselves of such infractions, to palliate, if not justify, infractions of their own, 'till infraction coming upon infraction, from every department of the Court, the original Rules of Practice at length become not only disregarded but habitual, and in the end *themselves* the Rules. It may, however, be observed, that the great increase of the business of late years, has naturally led late Chancellors (and not one more than your Lordship) to endeavour to accelerate, and to give facilities to the hearing of causes, and other matters brought before them, much beyond what I can myself remember to have been usually done, upon the principle, I suppose, that the immediate hearing and determination of a cause of one description, though to the postponement of another, may be productive of more benefit to the parties in the cause heard, than mischief could be done to the parties in the cause postponed.* Still the real point to be considered is, whether a suitor, whose cause stands by the activity of his Solicitor first in the course of hearing, ought to lose his right of precedence, merely because the cause standing next to it may be under more pressing circumstances. Besides, if a cause

* Vide Report, p. 16.

be once transposed, what security is there for its keeping its new place, and its not being transposed *toties quoties*. But what is still of more consequence to the practice of the Court, (and it is of that we are now to consider,) on what pretence can the Court quarrel (I speak with great deference) with any Solicitor, for not being punctual in his attendance so long as it may be thought fit to render such attendance quite vain, by the unexpected transposition of causes. As long as instances of such transpositions are rare, and form only exceptions to the general practice, it may not be fit to complain of them; but when they become so common, as that sometimes, and indeed not unfrequently, a whole day is spent in contests at the bar, as to which of the transposed causes shall be first heard, without any attention to the proper causes set down for the day, the Court is sure to find itself reduced to the difficulty of determining not only *which of these first-to-be-heard causes* shall be *first heard*, as with reference to the causes which are in the paper of the day, but also as with reference to each other; and this is the cause of great expence, and great delay to all the parties to the causes which are, or ought to be set down in the regular paper of the day (if there is at this time any such paper); for Soli-

citors must and have a right to be paid for their attendances; and nobody can tell how often the same occasion for the like expence and delay may occur. ✕

The *delays* and *expences* imputed to the Court of Chancery, as arising from the institutions of the Court, or to the want of some restraint upon the abuses of them, are not justly so imputed, if any judgment may be formed from the number of rules and ordinances which have been already made, in order to prevent and abridge both. (The same observations arise, as applied to all other businesses being brought forwards, to the postponement of causes, and so *vice versd.*.) It is, however, very common for persons, who know little or nothing either of legal or equitable proceedings, to draw a comparison between the time and expence required to get through an action at Law and a suit in Equity, though there is not, in truth, the least analogy between them. The distinction between them is plain and intelligible to persons who are capable of understanding any thing, and will give themselves the trouble of informing themselves; and such I would wish could be made to know that the proceedings in an action at Law preparatory to trial, are in their nature very short, being by the forms of pleading usual in Courts

of Law brought to a single question, either of law or fact, which, if determined in favour of the defendant, puts an end to the action, in ordinary cases altogether ; and if for the plaintiff, he has nothing more to do, but to enter up judgment, and, if necessary, take out execution. Whereas the heads of relief in a Court of Equity are matters of fraud, and accident,—the execution of trusts,—the taking of accounts,—the specific performance of agreements, and the prevention of irreparable mischief ; all depending upon circumstances of which the knowledge is, in most cases, only to be acquired by purging the defendant upon his oath as to the existence of them. Of course, they must all be stated upon the face of the Bill, and followed up with such questions as it may be necessary to put to the defendant to answer, as to the truth or falsehood of them ; and, of course too, the Bill and the Answer when put in (but for the preparing and putting in of which a considerable time must be allowed) will, it must be expected, bear a proportionate length to each other, as well also (not to mention the intermediate proceedings) the Decree (supposing the plaintiff to succeed in his suit), and the Master's Report, and all the proceedings subsequent thereto. Now this is the simplest case of a suit in Equity

that can, I think, be stated ; and I think it need not be asked, what analogy in respect of time, (for time there must be before these several proceedings can be had,) or expence, is there between such a suit and an action at Law.

But to return to the practice of the Court ; and if the practice be really so disordered, as to take away all reasonable expectation of its being restored to a sound state, by bringing it back, as it may perhaps not inaptly be said, to its *own native air*, and *accustomed habits*, but that ulterior remedies must be applied ; still I should think it wiser not to dose it at once with a mixture of *one hundred and eighty-eight new*, and *untried heterogeneous ingredients*, acting upon, and counter-acting each other, least peradventure in endeavouring to cure, you kill ; but rather to try what may be the effect of such plainer but more certain remedies, as may relieve, though perhaps not perfectly cure, the patient ; and which the Court may possibly, by means of its own proper energies, firmly exerted and persisted in, successfully administer ; instead, therefore, of one hundred and eighty-eight new Propositions or Rules, I would bring forward one single proposition only, *viz.* that the Court do, by its own intrinsic authority, direct a Notice, followed up with an Order, to be

stuck up in all the different departments of it, *that all the present Standing Orders of the Court, must for the time to come be observed, and will be strictly enforced.* I presume to think that such an Order would do away with most, if not all, the anomalies and irregularities which are the present curse of the Court.

After all, however, I am inclined to think that the great complaint under which the Court labours, does not arise from any defect in its present Rules of Practice, either in regard to *expence* or *delay*, (provided they were duly observed and enforced,) but to the increased weight of business, from time to time thrown upon the Court, (and especially of late years, by means of private, and indeed some public Acts of Parliament, giving in certain cases the right of summary applications to the Court of Chancery, such as Estate Bills, Road Bills, Canal Bills, incorporated Societies Bills, and many others,) being greater than it has strength to bear; and that the only effectual remedy will be, either to diminish the burthen of the business, or increase the strength of the Court; the latter of which objects can, I presume to think, be attained, by setting up an additional number of Judges, and appropriating to each certain parts of the general business of the Court; by the doing of

which, though the weight of business will not in reality be diminished, its pressure will be divided, and the strength to bear it indirectly increased. But when this is done, the liberty of appealing from the inferior to the superior Judge of the Court, must, as some would say, in no case be permitted; not even on the certificate of Counsel, except in cases of Bankruptcy, in which no appeal lies to the House of Lords, for no Suitor (speaking of Suitors in general) who has property of importance at stake, will be found to submit to the opinion of one Judge, when he may have the opinion of another, and a superior one; not to mention the fair chance he may stand, upon the mere chapter of accidents, whether Judges, like other men, may not conscientiously differ in opinion upon one and the same point; and in most cases counsel will not think themselves justified in refusing to certify; and thus the liberty of appeal may, by what is termed re-action, bring the whole of the burthen of the business back again to the same spot (and so the case has undoubtedly happened in relation to the Vice Chancellor's Court) from which the object has been to remove it; accompanied with the aggravation of costs and of delay; and, it may be, of discredit being thrown upon the inferior Judge, con-

sidering the manner in which matters of appeal are usually discussed, which he may not deserve. But still the important, and as it seems to me, insuperable difficulty remains to be removed before the right of appeal can be taken away. To take it away is to lower the dignity of the office of Lord High Chancellor, and to deprive it of that controlling power entrusted to it by the constitution, and which it has duly exercised for centuries. Nor will the throwing of partial and unconnected, and detached judicial powers upon the Masters, already sufficiently burthened, according to Master Harvey's Return to the Commissioners (see Rep. p. 508), answer any good purpose. These offices are not calculated for the exercise of the higher judicial functions; nor would the exercise of such by them be compatible with their other business, nor indeed practicable. It is morally impossible, for instance, indeed it borders upon ridicule to suppose, that a person sitting in judgment upon the merits of a case, and hearing and taking minutes of what is stated and argued before him, can be at the same time employed in making entries in a common place book, of every thing that passes before him; even such low matters as the squabbles of Solicitors, which he must do if he is to report upon

their conduct (see Proposition 75), or their clerks. If they are to sit as Judges, *make them Judges*, as the Protector Cromwell did (see his Orders, 32). Let them sit in public, and not in private, and give them the assistance of proper officers, as Cromwell also did. In short, assimilate them to all other Judges, as far as the nature and urgency of the business to be transacted by them may make requisite.

I have troubled you thus much, my Lord, with the view of stating to you the general grounds upon which I object to the *one hundred and eighty-eight Propositions in the gross*. I will now proceed to state to you my objections to them (I mean such of them as I do object to) *seriatim*.

1st to 25th Propositions. With respect to the first twenty-five of the Propositions, as they numerically stand, and which relate chiefly, if not altogether, to the times to be allowed for the performing of the several duties necessary in the early proceedings in a cause, and particularly the putting in of Answers, I presume to think that such a length of time ought to be allowed in each particular case, as may be likely to suit the generality of cases, taking into consideration, that there may be difficulties in some cases, which may require greater indulgencies

than in others ; and also taking into consideration the difficulty, if not impossibility, of fixing a specified time for individual cases ; the time, however, in no case to exceed the times already fixed by the practice of the Court, without a special Order for the purpose : And that in regard to the times for the putting in of Answers, in particular, it is idle to suppose that any material advantage can be obtained by abridging the time in a country cause from thirteen to ten weeks ; and in a town cause from ten to eight. I will go further, and will venture to say, I think, that considering the variety of matter which usually forms the subject of a Bill in Chancery, and the diffuse manner in which, according to the present mode of drawing Bills in Chancery, (and every Suitor has a right to state his own case in his own way, so that he does not fall into impertinence,) it is distributed over the face of a Bill, and the many shapes in which it is represented, so as to prevent a Defendant having the means of escaping from making a discovery of the truth ; and considering the correspondent length of time which must be consumed by the Defendant in collecting the materials for his Answer, in communicating them to his Solicitor, in his Solicitor's arranging and laying them before Counsel by

way of instructions for Answer, in the Counsel's drawing or settling the Answer, in the Defendant's advising with himself, and with his Solicitor, before it is engrossed and sworn ; and if it be a country cause, the necessity perhaps of coming to town, and laying the Answer again before Counsel, the time for answering ought not only not to be abridged, but it would be upon the whole beneficial to the general administration of the justice of the Court, and tend more to dispatch than delay, that it should be enlarged ; provided the enlarged time be peremptory, and upon the terms in case of its not being strictly observed, or the Answer not being sufficient, of being subject to some certain and severe vindictive process of the Court.

26, 27, 28, and 29. With respect to these Propositions, I do not see any *specific* objection to them, taking them singly. - But there is one *general* objection to them, taking them altogether, viz. the difficulty of deciding *whether or not any, and what invariable rule can be laid down as to matters of practice in a Court of Equity, the jurisdiction of which is founded on cases wholly circumstantial and various.*

30 to 32. With respect to these Propositions, I should apply the same reasoning as to the first twenty-five. It does not follow that

because a Plaintiff may not require an Answer to an amended Bill, the Defendant may not think it necessary for his defence that he should answer; and it is not impossible but that the amendments may require as much time to answer as the original Bill did.

33 to 46. With respect to these Propositions, I do not see any objection to them.

47 to 50. With respect to these Propositions, I think various objections may be made to them, viewing them as one regulation, though consisting of several parts. I think they may give occasions for unjust imputations against the Chancellor, upon the score of patronage; and otherwise, that parties may not be so well satisfied as having Commissioners of their own appointing, and who being known by them, they may think more zealous in the executing their duty, than strangers; that unforeseen difficulties may arise (as indeed seems to be apprehended by the provisions made by the Propositions themselves in that behalf) in the securing of Commissioners to act, that a duty may be thrown on the Masters, to the impediment of those which are proper to them; and not only a duty, but one demanding much inquiry and investigation, and attendance of parties concerned; and that the compensation proposed

for Barrister-Commissioners of five years standing is not sufficient for their rank and station.

51. With respect to this Proposition, and which I might perhaps with propriety have included in the foregoing ones, I think any regulation is better than that the Commissioners should eat and drink at the immediate expence of the parties.

52. With respect to this Proposition, there is not, I think, any objection to it.

53 to 56. With respect to these Propositions, no objection, subject to this observation in regard to Prop. 54, that the *usual interrogatories* extend to the sanity of the Testator, and not to the signing, and publishing, and attesting only.

57. With respect to this Proposition, I think it bears hard upon a Plaintiff, in cases in which the cause of the defect may have arisen, or may not have been known to the Plaintiff till subsequently to the time of his setting down the Cause.

58. No objection with respect to this Proposition.

59. With respect to this Proposition, do the terms *any person*, mean to comprehend strangers, or only parties interested in the cause?

60 to 62. With respect to these Propositions,

they seem very proper, except that the two last affect to put the Master of the Rolls and the Vice Chancellor on the same footing with the Chancellor, the deputies with the principal. Hitherto the Chancellor has been considered as having the sole ordering of the Court.

63 to 64. See my Return (if I may be permitted to make such a reference) to the Commissioners, in which I refer to the good old practice of reading the minutes of the decree in open Court, at the time of its being pronounced.

64. No objection.

65. With respect to this proposition, at present, it is not the universal practice to bring the whole of a Decree, or Order, but only the ordering part of either into the Master's office. If by Decree, or Order, is here to be understood the whole (as I think it ought), it had better be so expressed. It is in many cases very necessary for the Master to see the *recitals*, in order to understand the *ordering* parts.

66 to 69. By these Propositions (except perhaps as to No. 67), one of the Masters in Chancery is to be turned into a Solicitor, or, (to place him a grade lower in the profession,) into a Solicitor's clerk; and how is the Master to know all the secret springs and motives of action which govern the several parties in a cause?

But be this as it may, they impose duties upon him, which the present Masters did not, on their appointments, undertake to perform, and which, as well as some others hereafter to be noticed, it is possible *some of the Masters* may not even now wish to undertake, and are, in some respects at least, directly contrary to Lord Bacon's Orders (see sect. 62, *et seq.*) confirmed as they are by Lords Clarendon and Coventry. Besides, as to all essentials, which seem to be within the contemplation of these Propositions, they appear to be amply provided for by Lord Coventry (see his Orders 17, 18, and following Orders).

70. With respect to this Proposition, I see no objection.

71, 72. These Propositions seem to impose a judicial duty upon the Masters, derogatory to the jurisdictions of the Court.

73. With respect to this Proposition, surely it is not meant to shut out the defaulting party from all *benefit* under the Decree, for no other reason than that he has rendered himself unfit to be allowed to *prosecute* it.

74. With respect to this Proposition, if no Order be made, how is the Master to know if any application has been made to the Court? Is the person applying to the Master to make

affidavit of the fact? And is it meant, by way of *saving* either *time* or *expence*, that he shall take a Report, which may run to a great length, instead of founding his application to the Court upon an affidavit of facts?

75. With respect to this Proposition, nothing can, in my poor judgment, be more objectionable. It amounts to nothing less than this, *viz.* that after all the proceedings in the Master's office have been closed, as between the parties in the cause, and his general Report ready to be delivered to the parties; the Master shall enter into a new inquiry, and make another Report, by way of addition or appendix, as to the conduct of the party in carrying on the proceedings before him, the doing of which may lead to discussions, and ultimately to a detail of matters of greater length, and attended with greater expence, than the principal Report itself, especially if either of the parties, or their Solicitors, get angry, and enter upon a warfare of affidavits, *or possibly* manual warfare, which I have reason to believe and indeed know has actually happened.

76. No objection.

77. With respect to this Proposition, as long as the length of time fixed for the proceeding under each warrant does not ordinarily extend

beyond one hour (and which in such cases I think a reasonable time), the Master will find a difficulty in extending the time beyond the hour, as it may be to the prejudice of a party having taken out a warrant for the succeeding hour ; for the notice to be given under the authority of this Proposition will affect only the party upon whom the warrant is served.

78. How are the directions mentioned in this Proposition to be given ? Whether or not in writing, and in the form of a regular Order, or only verbally ? If verbally only, perpetual disputes may arise as to the particulars of the directions given ; and if in the form of a regular Order, some provision should be made for sanctioning it with the authority of the Court, or it cannot otherwise be enforced.

79 to 83. These Propositions will be found very difficult in the execution ; and, if I take a right view of them, are not applicable to the generality of accounts taken in the Court of Chancery, however applicable they may be to the taking of ordinary accounts, as between merchant and merchant. In common cases, in which a Bill is filed for an account of the administration of assets, or for the liquidation of accounts arising upon mutual dealings and transactions, the first object of the Bill is to compel a discovery from the

Defendant (who is always represented to be the party in default), of what the state of the account is, as he the Defendant makes it out, and how he makes it out. This mode of Proceeding naturally puts the Defendant to set forth in his Answer the account of his receipts and payments; and it is from these accounts, and the books and vouchers produced by him after the cause gets into the Master's office, that the Plaintiff is, on the one hand, enabled to charge, and the Defendant, on the other, to discharge himself; and thus the account acquires the shape of charge and discharge, as must of necessity be the case whenever accounts are to be taken in an adverse manner, and seems to me to be the least embarrassing, and most satisfactory. And, indeed, it is pretty manifest, from the directions almost universally given by the Court, even in cases of settled accounts, for the parties to be at liberty to surcharge and falsify, that if accounts are brought before the Master in the form of Debtor and Creditor, they must ultimately virtually undergo the same process.

84. With respect to this Proposition, I think the Masters ought to have a discretionary power of making such a reference, even without the consent of the parties, when they think such a reference necessary for *their own information*,

and only in order to enable them to report, as in cases of accounts relating to mercantile concerns, which in many instances are kept in a manner peculiar to themselves ; and I believe that the Masters have generally been in the habit of exercising such a discretion. I have certainly often so done, but then any party must be left at liberty to object to such account, and to take exceptions to the Report thereupon. There does not seem to be any necessity (and it will produce certain expence) for the Master to stuff his Report with his reasons for making such a reference as above, in cases where it is made with consent.

85. I think this Proposition proper, only, on the principle that litigation ought not to be continued, for the sake of trifling items of account.

86. If the Court continues to be of the same opinion, as I have, from experience, reason to think it now is, that nothing can be done, in respect to Receivers passing their accounts, (except disallowing their salaries, and charging them with interest upon their balances, under Lord Loughborough's order, whenever, *if ever*, they do pass them,) unless some party interested complains, this Proposition seems nugatory. With respect to the Committees of the Estates of Lunatics and of Infants, I should think that

the Chancellor would be entitled to call upon the Attorney-general to put the bonds given by them and their sureties in force, without any complaint being made.

87. I think this Proposition, if made an Order, will occasion a good deal of litigation before the Master, and consequently delay and expence.

88. I believe they are at present read upon copies being first left at the Master's office for his use, in case he should be called upon to state to the Court upon what evidence he made such or such a Report.

89. No objection.

90. It should seem that the warrant to settle the Report answers every purpose of this resolution. For supposing the warrant to issue, the party wishing to review may, when he attends the warrant, state his grounds for the production of further evidence; and that a previous warrant to shew cause why such a warrant should not issue, leads only to delay and expence.

91. Are the costs mentioned in this Proposition to be taxed, as costs *in, and on, the winding up of the cause; or when and how?*

92. I think the Masters will not often exercise this discretion, in cases at least of great magnitude: and that if they did, it would lead to endless squabbles in their offices, and ulti-

mately to applications alike endless to the Court. Besides, the Proposition affects to throw a duty upon the present Masters, not contemplated when they accepted their appointments.

93. No objection.

94. I do not see any specific good to be derived from this Proposition.

95. See observations on No. 92.

96. See observations on No. 91, as relating to Costs.

97. No objection to this, but that it makes the decision of the Master final; and so derogates from the dignity of the Chancellor. See as to Costs, as above.

98. It should seem that nothing can properly be considered *scandalous* or *impertinent*, which by being struck out of an Answer, will make the Answer insufficient; in other words, *whatever relates to the relief prayed by the Bill, or may bear upon the question of Costs in the cause, cannot be either scandalous or impertinent*. No objection, but that it makes the decision of the Master final, &c.

99. No objection, but that it makes the decision of the Master final, &c. &c. In this, however, as in the two instances above, I think the decision may safely be made final.

100. See Propositions, 91, 95, 96, and 97.

101. I do not apprehend that any such regu-

lation is necessary. The Masters do take into consideration every thing which has reference to the relief sought by the Bill, or may affect the decision of the Court as to costs.

102. I apprehend that the only proper person to attend any sale in the country, as well as in town, is, generally speaking, the Master's clerk, inasmuch as he is the accredited officer of the Court for the purposes of sales, and has an assigned fee for performing the duty ; and I do not throw out any unadvised suggestion, when I say, that Chancery sales in the country are very rarely well conducted ; but, on the contrary, very often badly, if not corruptly, by auctioneers and persons of that description being employed in such sales in the country ; not to mention the very incorrect mode in which the biddings are very often taken, and returned by such persons. And as to the Solicitors, is it reasonable, that the proper Solicitor for the party whose estate is to be sold, should be debarred attending the sale, merely because he may happen to have London for his place of abode ?

103. I suppose it is not meant that the party taking the copy shall have it without paying the fees usually payable upon copies in other cases.

104. The words "in any other manner inci-

dentally connected with the cause," read well, but carry with them no such specific meaning as is necessary for a rule of practice, and lead moreover to litigation.

105. No objection.

106 to 108. If the clerk to be registered is "to be approved of by the Master," what evidence of fitness is to be required, and in what manner is the evidence to be laid before him; and by whom, and at whose expence is the register to be kept, and how is the ordinary business of the Public Office to be executed by the Master, if he is to sit there in judgment upon the fitness or unfitness of a Solicitor's clerk to do what his principal ought to do himself? It seems from this, and several other of the Propositions, the Masters in Chancery, like Justices of the Peace, are considered as beasts of burthen, and designed only to bear whatever visionary reformers may think proper to cast upon them, *or not know where else to place.*

109. This purports putting another new duty upon the Masters, which they did not contemplate upon taking their offices.

110 to 115. We are now come to a string of Propositions which affect some consideration of the remunerations to be made to the Masters,

though in a manner, I think, a little too carping for the performance of their duties, the intended new ones, I hope, as well as old. As to the nature and amount of such remunerations, I shall not venture upon one single suggestion, except that the justice which may be fit to be done to those Masters, if any, who may prefer the retiring from office altogether, rather than undertake the new duties upon the old terms, or undertake them at all, will be to allow them the amount of their present emoluments of office for their lives, in like manner as it is proposed for retiring Registrars. See Prop. 145.

116. This matter of gratuities is extremely misunderstood. These gratuities, as they are called, are not bestowed upon the clerks, in consideration of any duties performed by them in the ordinary course of official business, and to which certain known fees are affixed; but in consideration of extraordinary services rendered *out of office*; and of the sacrifice of time which they would have just right to allot either to relaxation, or to private and profitable pursuits of their own; or occasionally, perhaps, for services rendered, by giving information and advice to some Solicitors less acquainted than others with the proceedings in the Master's

office ; and for which they may very properly think some acknowledgement reasonable and necessary.

117. See Observations on No 110, and five following ones, as above, and on 60, 61, 62.

118, 119. No objection.

120. The exception ought to be omitted, unless the cause be set down on an understanding to pay any extra cost ; for the Chancellor cannot be possessed of all the circumstances attending the original hearing, as the judge, who presided at it, may be supposed to be.

121, 122. No objection.

123. All parties interested should at least have notice of the Petition ; and how can any order be made in favour of a Legatee, to the prejudice of Creditors under such a Petition as here proposed ?

124. I think this proposition is open to great mischief. The principle of all administrative justice is, that there shall be an end to litigation. Here it is proposed to leave off in the middle, and never to finish.

125. This seems to be a very strong, and a very questionable innovation upon what I have always considered the practice of the Court to be, viz. that whenever a Defendant, having let slip the time for demurring or pleading, shall

answer some parts of a Bill only, (which he may do for the purpose of avoiding an attachment for want of Answer) and shall take that opportunity either of insisting that the other parts of the Bill do not contain any matter of equity ; or of stating some special matter *dehors* the Bill, which he shall insist he *might* have pleaded ; and that in either of such cases he shall claim the same benefit as if he had in due time either demurred or pleaded ; inasmuch, as in neither of such cases the Court will give its decision till the hearing of the Cause ; the Defendant was, upon exceptions taken, bound to answer, upon the ground that the Plaintiff might, by the death of the Defendant, or otherwise, lose the benefit of the discovery of matters within his sole knowledge, and which might be extremely material in most, but especially in all matters of account ; and the like.

126. No objection ; unless it shall be thought to require more than is necessary.

127 to 129. These Propositions may in the case of an accounting Defendant lead to a double expence, and not be attended with any benefit, further than giving the Plaintiff an opportunity of moving for the balance appearing upon the annexed account somewhat

earlier than he otherwise might ; but still the Court must, by its decree, order the accounts to be taken in the usual manner, and the account will in some shape or other, be to be set out again ; or at any rate, the Plaintiff must have the liberty of surcharging and falsifying, which is oftentimes, as expensive, as the taking of the whole account would be.

130. I believe the practice is so at present.

131 to 136. No objection.

137. This Proposition seems to contain what is contrary to the usual course of distributive justice, which always implies a diversity of interests, as between the parties to the suit, and none others ; but a Creditor or Legatee, merely as such, is not a party to the suit (for the personal representative takes care of the interests of all such), and therefore ought not to be permitted to interfere in the conduct of it ; especially as he will have the full benefit of it by coming in before the Master, to whom it is referred to take an account of debts and legacies, &c. and submitting his claims to him ; and also, as he does not contribute to the expences of the suit except it be in the case of a Creditor's Suit, and to the expences of which he is bound to contribute.

138. This Proposition will, I presume to

think, be very mischievous, if carried into an authorised Rule of Practice. One of the greatest abuses in the administration of the justice of the Court, and which I have frequently heard reprobated by persons of high authority, (and if my remembrance serves me, even by your Lordship,) has for some years past been effected by this sort of proceeding. When orders are from time to time pronounced for individual inquiries to be made, though each head of inquiry may, *taken by itself*, be perfectly right and just; it may be quite otherwise, as connected with others necessary to be made in the cause for the purpose of substantial justice to all the parties in the cause. Besides, when each different party has gained by means of these individual inquiries, all which he thinks necessary for himself, no further proceedings will be had in the cause. Well then, it may be said, who is there to complain? The answer is, the Chancellor; for he is by these means ensnared into the making of such a Decree by piecemeal which he might not make, nor in many cases would make, if all the matters in the cause were brought before him in one view, as at a hearing of the cause.

139. By this, the suitor is not to be permitted to judge for himself *what Counsel* he may think

it most for his interest to employ. He may indeed be indulged with the liberty of taking two Counsel to his assistance, upon the condition that he takes one from within the Bar, to the exclusion of a second, which he may wish to engage, from without the Bar ; though he may, without any controul, take two from within, to the exclusion of outer Barristers altogether, however great their talents or their industry may be.

140. No objection ; if none is made by the Solicitors.

141 to 144. In short, the sworn Clerks in Court, who have always, or at least ever since the Six Clerks have ceased to be the Attorneys of the Court, been considered as much, ministers attending the service of the Court, as ministers attending the service of parties, are to be excluded altogether from the Court ; and the Court thereby deprived of the information which they have heretofore been considered bound to give of the state of their Causes before it. And the Six Clerks are to be put in the place of the Masters, as far as relates to the taxation of Costs ; which may be very proper, if, upon consideration, they shall be thought as capable (as perhaps they may) of exercising as sound a judgment as a Master

would, when a question shall arise of discretionary Costs, or Costs not immediately within the prescribed Rules. Even of which latter, ordinarily speaking, they must be totally ignorant, having for ages since been out of any active business in the Courts. I am not speaking of individuals, but of officers as such, and their duties, as they *have* been and *now* are. However, I do not quarrel with these Propositions because they take the taxation of Costs from the Masters, for I think the taxation of Costs is beneath their supposed education and habits; but for the reasons assigned for such a measure, namely, that the taxation of Costs by the Masters gives them the opportunity of *holding out to the Solicitors the expectation of a favourable taxation, as an inducement to them to bring their businesses into their offices*; which is an insinuation so unfounded, that it had better not have been stated, as affording any pretence for the alteration. But supposing the insinuation to be well founded, surely the very many different heads of power given to the Masters by the present Propositions for controlling the conduct of Solicitors in the prosecution of Decrees and Orders before them from the times of such Decrees and Orders being brought into their offices, must give such of the Masters as may

be supposed inclined to avail themselves of them, additional opportunities of holding out to the Solicitors inducements, "*ten times told*," for bringing their businesses into their offices. But away with such dirty insinuations, from whatever quarters they may come.

145. No objection. But the same consideration ought to be had in respect of retiring Masters. See Proposition 115.

146. Objection; that the Lord High Chancellor is alone the proper and rightful Judge, with the advice, if he *pleases to require it*, of the Master of the Rolls and the Vice Chancellor, but neither of whom, either by himself, or conjointly with the other, is, as I presume to think, competent to make a new, or to alter an old Rule of Court. See observations on Propositions 60, 61, 62.

147 to 154. No objection.

155. This throws not only a new duty immediately, but eventually a heavy responsibility, upon the Master.

156. No objection.

157. Having regard to some passages in the evidence given before the Commissioners, no objection can be made, I apprehend, to this Proposition, though I should have thought that Lord Coventry's Order, 27, was sufficient to

answer every purpose intended by this Proposition.

158. No objection, whenever a proper taxing officer shall be appointed.

159 to 162. No objection.

163. This Proposition, as at present worded, is so complicated with involutions, that it might be better perhaps to put the receiving of answers in evidence, whenever they are resorted to by a Plaintiff, upon the same footing as upon a trial at Law.

164. No objection. Just the contrary. As it is a rare instance, from the time of Chancellor Waltham to the present, of the Court's parting with any of its business: if it could, and would, part with a good deal, it would be so much the better for all parties concerned, both as suitors and others, from the highest to the lowest about the Court. It would be well, indeed, if all the businesses which have been diverted from their proper channels into the Court, could be returned into them again. But as things are, it is very manifest that there must be some such Court as the Court of Chancery, and it is much more than probable that one *better conducted than the present will never be found.*

165 to 173. As these Propositions relate to matters not properly belonging to the equitable

Jurisdiction of the Court, I have not any observations to make upon them.

174. It would seem invidious, but that I am

“Nullius addictus jurare in verba Magistri,”

to make any observations on this Proposition, which might otherwise, perhaps, not be upon this occasion unprofitably made, both with respect to the first establishment of a Vice Chancellor's Court, and its real utility. But for what purpose does this Proposition profess itself to be made? For the purpose of *giving more weight and efficiency to the office of Vice Chancellor*; but the effect will be not only to despoil the Lord High Chancellor of the authority entrusted to him by the statute of the late King, but also, when coupled with the following eight Propositions, to despoil the Great Seal of its Sovereignty; and, what is still worse, to despoil the suitors of the Court of the best protection of their Rights and Properties, in order to gratify an empty vanity.

“Prospero. You'd be King o'th'isle, Sirrah?”

Stephano. I should have been a sore one then,”

See the Tempest.

I allude not to any individual Vice Chancellor, but to *all* Vice Chancellors.

As for the matters of *Weight* and *Efficiency*, they depend wholly on the character of the Judge for learning and integrity; though if *Efficiency* here means *Effect*, I should rather

look for *that in the Serjeant at Arms*. If the above Propositions are carried into practice, it may, perhaps, be thought proper, to make a declaration as to what shall be understood to be a *Motion of course*.

I would wish to add, that if the right of Appeal to the Lord Chancellor is to be done away, the House of Lords will, of course, have to hear and determine all Appeals which would otherwise come before him. This will be an accession of business to the Lords quite unexpected, and it is to be presumed not very acceptable to them. Besides, *it may increase the number of Law Lords to an alarming degree*. At present the number of Appeals from the Chancellor to the Lords is *very, very small*: the number of Appeals to the Chancellor is *very, very great*. The inference is so obvious, that one need not bear the pain of stating it.

183. This Proposition may be objected to by those who think all decrees, as well as reports, are unnecessarily long; and there are some passages in the evidence given before the Commissioners, particularly in the evidence given by the present Lord Chief Baron in regard to Reports, (founded I conclude in the intuitive practice of his own office, when a Master in Chancery,) that they are unnecessarily long; if the

decree contains only that which serves to inform the Master what the precise objects are to which the Court may be supposed to wish to draw the Master's particular attention, as well as what is the general scope of the decree; and if the Master's report contains only what is necessary to inform the Court of the grounds upon which he has formed his conclusions, I cannot understand how it can in any manner depend upon *the eye* of the person who ultimately settles a report, whether it be unnecessarily long, or not; unless indeed, the Master is gifted with the power of discovering, by seeing *what is without*, that *which is the pith and marrow within*. Or, it is meant, by alluding to that organ, that because a man may, by using it, be able to read, he must therefore be taken to read, and to understand; but then the propriety or impropriety of the report, when settled, will depend upon the understanding and the discretion of the person settling it, and not upon *the eye*: and I do not think any present Master will be found to sign a report which he *sees only, and does not at least fancy he understands*.

184. I thought the matter of this Proposition had been settled some years since. There cannot, I think, be any objection made to it, provided it be confined to *rehearings upon merits*,

and the appeal to the House of Lords be not excluded.

185 to 188. I do not see any objection to any of these ; but I should think that the application mentioned in 185 might in most cases be made, as well by motion, as by petition ; and a motion would, I presume, be the least expensive.

I have ventured to make the foregoing observations, upon the supposition that it is meant to carry the whole of the *one hundred and eighty-eight* Propositions, some how or other, into effect. The result is, that I give Lord Redesdale great credit for not having signed the Report. Like him, I would not dare to rob the Lord High Chancellor of a tittle of his dignity, nor the Great Seal of its Sovereignty. *One hundred and eighty-eight new rules* may inundate the whole of the old system of the practice of the Court, as the Flood drowned the Old World ; but though the Power which lifted up the waters could by his word repair the desolation made by them, man cannot *do, and undo, and do again, with the same ease.*

I am, my Lord, Yours,

Most respectfully and faithfully,

F. P. STRATFORD.

POSTSCRIPT.

Your Lordship will observe, that Mr. Beames, at the conclusion of his explanatory Paper (see Report, p. 116) states, that the Propositions relating to the Masters' offices are in great measure founded on *the Return made by Mr. Courtenay, &c. &c.*; and that Mr. Courtenay, in his Return, founds the suggestions made by him mainly on *eight years of attentive observation upon the course of proceedings in a Master's office*. There is no doubt but suggestions, so founded, deserve all due attention. There are, however, other Masters of nearly three times the number of years experience, and I trust capable of equal observation, who have not made such suggestions, but, in a *general view, quite the contrary*. In my own Return I distinctly state my opinion to be (see Report, p. 505), *that the ancient rules by which the Master's office is governed, are most probably better, having regard to the length of time that they have been acted upon, than any new ones that can now be made, provided some fresh stimulus can be given to them; and I point out the means by which I think that may be effected*; and also some formal alterations in the present practice, tending to *that* end, but none

subversive of the present practice. I was appointed to my Mastership in the month of March, 1803, so that I have been a Master nearly twenty-four years. Mr. Harvey was, I believe, appointed early in the year 1804; and he in his first Return, with equal distinctness, states his opinion to be (see Report, p. 508), *that the Masters have not time to execute any new duties, unless they are relieved from part of what they have now to perform.* But I presume to think that the removal of the taxation of costs is not such a sufficient relief to the Masters as he must have intended, if they were to have any new duties to execute; and further, in his second Return, he points out several instances (see Report, p. 508 as above), in which he says he does not think (*contrary to the suggestions of Mr. Courtenay*) that *the present course of proceeding in the Master's Office can be practically improved.* And Mr. Cox, who was, I believe, appointed to his Mastership in July, 1804, does not, in his Return (see Report, p. 509), as far as I am able to discover, though I have read it over several times, point out any one *specific* regulation which he thinks would tend to the amendment of the present practice of the Court. In truth, he treats, and professes to treat, only of *generals*; and even in regard to those, he is re-

markably concise. I heartily wish he had been more diffuse; for his suggestions would have been really valuable. He does, however, seem to intimate, that a Master *may* possibly be made *more of an actor in the business* (he must mean the business of his office), *than is consistent with his situation*. It is upon this very ground, that my objections to the *one hundred and eighty-eight Propositions* are principally founded. I do not omit to take particular notice of the Returns made by the other Masters out of any disrespect to them, but because I think that there is quite enough in the Returns of the three I have already named, to shew that the present course of proceeding in the Master's Office is not likely to be practically improved by any new rules, as far at least as respects the business properly belonging to the Master to do.

As the Commissioners have by their Report given the Returns made by the several Masters to the Public, I hope I shall stand excused for referring to the Return made by myself, as a public document.

I have alluded to the increase of Law Lords likely to be occasioned by the increased number of Appeals.* It seems to me to be matter of the gravest consideration, whether the Peerage to

* See p. 44.

be granted to the person representing the Lord Chancellor upon Appeals, should be made descendible (as it was to the lamented Lord Gifford), or *duranté vitá*, or *quamdiù se benè gesserit*, or, *quamdiù valebit*, or, *durante benè placitó*; if descendible, the Peerage is continual, in the whole number of such Peers made ; if *duranté vitá* only, the objections of continuance is (to be sure) avoided ; if *quamdiù benè se gesserit*, He may be removed, but a new Peer must be created in the new representative, and so, *toties quoties* ; if *quamdiù valebit*, he may fall into permanent illness, and then the same case as the last arises ; if *duranté benè placitó*, no body can tell how often Representative *after* Representative, may be removed, but as often as this may occur, so often there must (as it seems) be a new Peerage. I believe there is not any instance of a Peerage being granted for a less term than for life. The value of a Peerage depends very much on the paucity of those who have it ; and it ceases to be a distinction of honour, when it is made a mere qualification for office.

THE END.

HINTS
ON 5
THE IMPRESSMENT
OF
SEAMEN.

BY
A COMMANDER IN THE ROYAL NAVY.

" Oh then protect the hardy tar,
" Be mindful of his merit,
" And, when again you're plunged in war,
" He'll show his daring spirit."

SEA SONG.

LONDON :
JAMES RIDGWAY, PICCADILLY.

1827.

THE IMPRESSMENT OF SEAMEN was written
in 1824, and published in the "Penny Magazine" of January and February 1826; but
the late discussion on the Navy Estimates has
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present form, as the manner in which the subject
was treated on both sides of the House, gives
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A COMMANDER IN THE ROYAL NAVY.
Many useful regulations have also been intro-
duced into the Navy, with good effect, since these
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G. COCKBURN in saying, that the Navy is now
more popular than formerly with the merchant-
seamen; the rapidity with which the vessels,
under orders for Lisbon, were manned, is an
earnest of what may be expected by further
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abolition or disuse of impressment.

LONDON:

PRINTED BY T. BRETTELL, RUPERT STREET, HAYMARKET.

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LONDON, FEBRUARY 1827.

359.1

HINTS

ON THE

IMPRESSMENT OF SEAMEN.

A CONTINUED state of peace, by circumscribing that extensive field where much activity of mind habitually existed, naturally forces it into other channels, and inclines those energies, hitherto absorbed in one great object, to the investigation of subjects connected with the customary pursuits of the individual: thus giving a fair opportunity for making use of past experience, in endeavouring to exalt the profession, by improving the condition of the persons belonging to it; but especially of those classes whose happiness is particularly affected by the influence of a practice universally acknowledged to be oppressive, and whose only excuse is the never-failing, but mis-used, plea of State necessity.

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In these times, too, when the light of intelligence has spread abroad, and is rapidly bringing out the true colouring of the great picture of human happiness; when it has even penetrated

the dark and musty recesses of cabinets, and induced measures and opinions that, a few years ago, would have been scouted as visionary, fatuous, or democratic; the subject of these pages has not been left in total obscurity. But if equality of rights be the essence of a free constitution; if the greatest good of the greatest number be the golden rule of governments; if the oppression of any particular class of the community be contrary to humanity, justice, and sound policy; in fine, if the cheerful and willing service of a very numerous and important part of the population be an object worthy of any serious notice, then the cruelty and impolicy of the impressment of seamen must continue to force itself, still more powerfully, on the attention of the country, until the cause of justice and humanity be no longer problematical.

It has been contended, as we have mentioned above, and doubt not will again be urged, that the system of Impressment is justifiable in all cases of State necessity; that every person who enjoys, or is entitled to protection from the laws, is morally bound to co-operate with his compatriots in the support of those laws, when threatened by a foreign enemy; that no person whatever is exempt from the contribution of his services to the protection of the State; that this appears to be an admitted principle, and that we accordingly find all classes of landmen called upon to serve in the militia, either in person,

or by substitute. From this, it is further said, sea-faring men are exempted in consideration of their liability to be called on to serve in their own element, both being equally required for the safety of the commonwealth. The militia-man, though not obliged to serve out of the kingdom, is still taken away from his own home and connexions, while the seaman may be also said to serve the State, within its own limits and jurisdiction, more especially those employed on the home station; and, when he chooses a sea-faring life, he knows, at the time, the advantages and disadvantages to which he is subject—he knows that he is exempted from serving in the militia, he also knows that he is not exempted from serving afloat.

We admit the whole of this reasoning; nay, we will go further, and say that cases may possibly arise when an entire population may be justly called upon to serve, even without pay; but, in these extreme cases, the *necessity* is *self-evident*; no man considers a moment; each person feels the cause his own; it is the will of the community, and there can hardly be a dissenting voice. That Impressment may be fully justified by the above argument, we do not pretend to deny; we *admit the principle*, but *not the necessity*: demonstrate the latter, and the argument is at an end; all we mean to insist on here, is, that no absolute necessity *does* exist;

that there *are* other means; that this is the season to seek for, and apply them; and until they have been found to fail, we should not again have recourse to Impressment.

But it has been objected, that Impressment, when once abolished, cannot again be resorted to: the answer is,—then the original plea of State necessity remains in greater force than ever; for, *really* justified by this, the power of the Legislature may again be exerted, and with more effect, because supported by public opinion—a “*tower of strength*” now wanting. Such emergencies, however, as require an instantaneous levy are not likely to occur; if they should, England will hardly be carried by a *coup de main* for want of volunteers to man her fleet; or, if Impressment must continue, let men be pressed for two, three, or four years, and then be discharged; and, let the power be exercised solely by the Admiralty, or Commanders-in-Chief on foreign stations,—and then only on urgent occasions.

No one will deny, that this system is capable of much modification; that any modification would be an improvement; and that it might, in many respects, be made more analogous to the practice of drawing for the militia, by a law obliging sea-faring men, between certain ages, to serve on board a man-of-war for five or seven years: this would have the effect of bringing

numbers forward, particularly at the commencement of hostilities, *and before they were called upon*, in order to get their time of service finished as soon as possible, and while there yet appeared to be the greatest chance of prize-money : and, then, if the service itself were made more palatable, one-half of these men would remain even after this period had expired.

The advocates of this measure have not been favoured with all the encouragement that such a cause and their exertions deserve ; it has, unfortunately, arisen on that side of the political hemisphere which is still in its winter solstice ; whose productions are commonly nipped in the bud, or totally disregarded, until their own native vigour and rapid growth ultimately force them into notice. Neither is the public mind sufficiently familiarized with the subject : it is viewed as a dangerous innovation on old-established customs, under which the navy has long flourished ; and, like the Navigation Act, is by some, considered absolutely necessary to the very existence of our maritime power ! The navy, however, has flourished in spite of Impressment, and the silliness and absurdity of such antiquated notions only tend to keep a nation in petticoats : they have, happily for the country, been fully exposed by the salutary effects of that improved commercial policy which now influences the minds

of his Majesty's ministers*, and has given new vigour to commercial enterprise, in spite of the enormous load of our national debt; and it is earnestly hoped the attention of Government will finally be turned to the subject now before us,—a subject of the greatest moment, inasmuch as it adds the moral sins of inhumanity and injustice to the political errors of restriction and monopoly.

Inhuman and unjust must be the custom that forcibly interferes with the industrious and peaceable occupations of the poor man, disperses his hopes, paralyzes his endeavours, steps between him and every feeling of family affection, and finally obliges him to curse the service—that of his country! into which he is forced, an unwilling victim, and which he cannot quit without a crime! His father, mother, wife, or children, may be in distress, in extreme misery, from which the high wages he *could* earn are sufficient to remove them; he knows this, and he deserts that service into which he was unjustly dragged: no man,

* For, notwithstanding the present clamour, amongst certain classes, against the late alterations in our Navigation Laws, the present distress will, perhaps, in the end, be discovered to proceed from other causes. Eight hundred millions of debt is a load not easily borne without crying out; and though most of it is spent amongst those from whom it is taken, yet, to use the words of a popular writer, "*they must work twice for it.*"

with the common feelings of humanity, can blame him; and where is the man, with a spark of freedom in his composition, that would not do the same*?

—This picture is not fancy; such events were but too common during the late war: we recollect an instance of a seaman belonging to one of his Majesty's ships (we believe a pressed man), who happened, after some years' absence, to touch at the port where he was born; his aged father and mother, and his sisters, came alongside the ship to see him with all the eagerness of family affection, heightened by long separation: unfortunately, however, an order had been issued to prevent any woman from coming on board—it was not relaxed in their favour; he then asked permission to go on shore with his family for a

* Pepys gives us a melancholy description of Impressment in his day (*Diary*, pp. 424-5). “But, Lord! how some poor women did cry; and in my life I never did see such natural expression of passion as I did here, in some women's bewailing themselves, and running to every parcel of men that were brought, one after another, to look for their husbands, and weep over every vessel that went off, thinking they might be there; and looking after the ship as far as ever they could by moone-light—that it grieved me to the heart to hear them. Besides, to see poor patient labouring men, and housekeepers, leaving poor wives and families, taken up on a sudden by strangers, was very hard, and that without press-money, but forced against all law to be gone. It is a great tyranny.”

few hours, as he was on the eve of a long voyage ; this, too, was refused : upon which the poor man, at all risks, determined to pay a last visit to his friends, and swam on shore that night. He returned, however, in the morning, but not before his absence was taken notice of.

The captain, who was one of those who think the cat-o'-nine-tails a sovereign remedy, determined to try him by a court-martial, in order to make a severe example ; he was sentenced to—we don't know how many lashes, by the court ; but as few as could well be given for the offence, all circumstances considered ; and the commodore, a man of humanity, ordered the prisoner on board his own ship, where the sentence never was put in execution. This man's behaviour was invariably good during the whole time he remained on board the commodore.

It will be readily admitted, that the competition for labour should be as free, with regard to seamen, as it is with any other trade or profession ; and even were it granted, that, in times of peculiar emergency, the Government should be armed with the power of compelling the service of certain classes, the doctrine of its right to avail itself of that service at *less* than the market price, can never surely be maintained with any appearance of justice or good policy, when the obvious effects of such a system are aversion, flight and concealment. In the United States' navy, where the dis-

cipline is generally considered more severe than in ours, *there is no scarcity of men* ; they enter for a limited time, and the seaman's pay is regulated by the fluctuation of the merchant's wages, or in other words, it follows the market price ; though, we believe, never is fully up to its level. From 1800 to 1816, it varied from *ten to seventeen dollars a month* ; the smallest of these sums is nearly one-third more than the pay of an able seaman in the British navy ; and the largest a great deal more than double, while the necessaries of life are generally much cheaper in that country than in this*.

That there are not two opinions on the expediency of abolishing this odious custom, which is "more honoured in the breach than in the observance," if a less exceptionable substitute can be pointed out, must be apparent to every body ; hence it becomes almost incumbent on individuals, who may have reflected at all on the subject, to give their opinions publicity, and leave them to stand or fall by their own intrinsic value : such a

* Pepys tell us, in his Diary, that a seaman's pay, in 1662, was 24s. per month ; it is now only 34s. Wheat was about 5s. a bushel at that time ; it is now between 7s. and 8s. A seaman then cost, in pay and victuals, 48s. a month, according to Sir William Petty, while a labourer's pay was 4s. a week without his board, or 2s. with it. A seaman's pay and victuals amount now to 66s. a month.

procedure can do no harm, and may render some assistance to the cause, if it only call forth an answer; the simple discussion of the question will familiarize it to the public, and any notice, however meagre and unworthy, may nevertheless call forth the sentiments of abler men, and a plan be ultimately struck out that will reconcile all opinions, for there must be a remedy somewhere.

We are told that, were it not for impressment, we should, at the commencement of a war, be in want of men to equip our ships; that they would remain sailorless—inert masses, floating on the face of the waters: in short, that while *our* fleets continued stagnating in port, those of our enemies would be riding triumphant over the ocean. *In the first place, it is by no means apparent why our adversaries should be beforehand with us, unless their system be preferable to ours; and if so, let us profit by their example;—let us change this illiberal system; alter this narrow and penurious policy; give the maritime part of the community fair play; make the only difference between a man-of-war and a merchant-man, the superior discipline of the former; and let the restraints necessary to ensure that discipline be no greater than will effect their object. You will then find little difficulty in giving animation to those splendid bulwarks of the British empire, and they will become more like palaces than prisons.*

Let us now endeavour to discover the reason that occasions such unwillingness in the seamen of England to serve on board His Majesty's ships.

It cannot be either the fear of winds, or of waves, nor yet of the enemy; for the dangers of the former are still more imminent and threatening in the merchant ships; and it is hardly necessary to say, that the latter is unthought of:—besides, the marines have no difficulty in recruiting, and are even preferred to the line. Neither is it altogether the discipline, for that applies equally to the marines; and its severity, if impartially considered, is perhaps greater in that corps and in the regulars, than the navy; but it is there carried on with infinitely more *form*, with a more *visible appearance of justice*, if not with more real equity, than in the latter service: because, however revolting corporeal punishment may be to the natural disposition and feelings of a captain of a man-of-war; however anxious he may be to dispense strict and impartial justice; let him be ever so much convinced of the rectitude of his intentions, of the purity of his motives, or the necessity of his acts; he is still a human being, subject to error, passion, and partialities, and, consequently, in his weaker moments, liable to let the warmth of his own feelings warp and bias his cooler judgment—and the more so if he feels his motives to be good and his ends useful. It requires no common exertion of mind to bear

contradiction and crossing; to see plans, undertaken with the purest intentions, and leading to the best results, thwarted; to find orders, issued for the general good, unheeded, or languidly obeyed; to observe a favourite scheme, the object of much labour and anxiety, confused and disordered by some unpardonable neglect: and all this when power is in his hands, and punishment follows his nod.

Experience dictates what is here said; and an appeal is made to any and every officer, who has commanded a man-of-war, candidly to declare, whether, on a cool review of his own conduct, he has not been sometimes forced to acknowledge that the feelings of the moment have, at times, materially influenced his decision in the infliction of punishment; unconsciously, perhaps, at the moment, but, even on that account, the more dangerous; and though many officers lay it down as a rule, *never to punish until twenty-four hours after a crime has been committed*, still so salutary a regulation does not always protect a man from the effects of his own passions and weaknesses.

In the army, an investigation on oath invariably takes place previous to sentence being passed upon an offender. Whether it *really* diminishes the amount of punishment, is not here of consequence: it is sufficient that the mind is soothed by the forms and appearance of justice; for, let a man feel himself ever so guilty, he still likes to give his

officers the trouble of proving him so ; the crime, moreover, is made apparent to his companions, and the murmurs of secret discontent are dispersed by the publicity of the inquiry, and clearness of the proof.

The natural desire of bettering our condition by honest industry, is the inducement to a seafaring life, in common with all other professions ; and this is, of course, equally applicable to the king's and the merchant service. In time of war, the flattering, but often delusive hope of prize-money,—the natural desire of glory,—the personal spirit of enterprise, so conspicuous throughout our maritime districts, together with the prospect of a pension after a fixed period of service, are additional incentives to enter the royal navy : in peace, most of these lose their force, or, indeed, no longer exist ; and, consequently, the two services are more nearly on a par, while the prospective advantages are rather in favour of that of the merchant. There a man may, with well-grounded hope, look forward to be mate, master, and, eventually, even part-owner of the vessel in which he embarks ; but excepting this, he has nothing to which he may look forward beyond his present contract ; these, however, are no trifling inducements, and naturally attach the steadiest and best seamen to that service in which their fair and honest expectations have the most probable and earliest chance of con-

summation, unless prematurely blighted by their own misconduct.

Let us now take a comparative view of the advantages and disadvantages accompanying the two services, divested of those fears and prejudices that may be supposed likely to obscure the judgment of persons exclusively attached to either, and, by this examination, endeavour to ascertain which holds forth the most rational and secure prospects of ease, independence, and ultimate wealth ; in short, to which of them belong the most probable means of bettering the condition of the individual.

The seaman enters on board a merchant-man *voluntarily* ; he signs a contract to perform stipulated duties for a specified remuneration, and subjects himself to certain penalties in case of non-performance ; he can discontinue his services when the contract is ended, or previously, if he choose to forfeit his wages ; he is, in a word, completely unfettered, and entirely master of his own movements. He is, moreover, well fed, and receives high wages—or, at least, wages equal to the value of his skill and industry ; his engagements are rarely of long duration, and he is not subject to corporeal punishment.

Should he feel himself uncomfortably situated, or fancy that he can improve his condition, he is free to change ; but he is not subject to be shifted from ship to ship, at the pleasure of the master or

owner, except in a case of mutiny, or extreme insubordination, when he may be sent on board a man-of-war, which it is unfortunately so much the custom, in England, to consider as the proper receptacle for every thing that is infamous; and then, there are wonder and clamour at the necessity of flogging, and the general severity of the discipline.

The merchant-seaman's prospects are not visionary, nor very remote: they are the probable result of a reasonable calculation, founded on the basis of his own industry and zeal, unmixed with the adventitious aid of birth and great connexions. The inclinations are unconfined, the energies unshackled, and the *man* is left at full liberty to reach the level of his own powers. It may even be said, that merchant-seamen have more freedom of action than the individuals of most other trades, for they can seek and find employment amongst the surrounding nations, with all the tools they want, their knife and marline-spike, without running risk of violating the laws of their country. In this service, therefore, if unmolested, a man's chance of success in life is at least as fair as that in any other branch of industry; and by throwing into the scale the extreme facility which, from the nature of his occupation, he enjoys of transporting himself to any part of the world, where he may bring his labour to a better market, his advantages are still greater than those enjoyed by other classes

of productive labourers; but, above all, his mind is not soured or discontented by the consciousness of being a prisoner, if not in name, at least in reality, which is, unluckily, too much the case in His Majesty's service.

That this feeling is a strong, and probably the most powerful cause of dislike to that service, must come home to every mind, were it even unsupported by the constant complaints of the people themselves; for there must be many who, perhaps, for years, have never wandered farther than the limits of their own domains, or never had a wish to exceed certain distances, who, if a law were suddenly passed restricting them to those boundaries, would become restless, unhappy, discontented, and ready to break out at the mere idea of circumscription.

This must necessarily be so from the nature of the human mind, which is much too strongly inclined to freedom of action to brook the least unnecessary restraint, where the means of avoiding it are within its reach; and compensating advantages alone will ever induce a man to relinquish this natural and inalienable right. That the British naval service does not hold forth such advantages, is a fact to be sincerely deplored, and an imperfection that it is hoped will, in time, be removed.

It is, nevertheless, far from our intention to set up the merchant-service as a sort of *nonpareil*;

on the contrary, the seamen are frequently ill-treated and imposed upon; and the instances of their preferring a man-of-war, particularly in foreign countries, are too numerous, and too well known by professional men, to be here mentioned. This, however, rather strengthens than weakens the argument: for, it is this very power of change that attaches them; besides, in these instances, they are generally moved by resentment; by the fear of imprisonment for some real, or alleged misconduct; by the hope of getting their arrears of pay; and by that strong desire, inherent in our nature, of overcoming our antagonist, cost what it will. In the one service, they may often be abominably used—it frequently happens that they are so*; but they are free to change: in the other, injustice is now rare, but freedom of will is unknown. It has been asked, what are the peculiarities that disfigure the king's service, and render it so disgusting to the merchant-seaman? The general answer may be; the severity of the discipline,—the impossibility of quitting it without committing a crime,—the comparatively low rate of pay,—and the positive confinement.

* Instances are not uncommon, of masters of merchant-men harassing their men, while in port, until they force them to commit some act of insubordination, which forfeits their wages, and then put them in prison, hiring men at a cheaper rate to load, or unload the ship. This is what they call "*sailing their ships cheap.*"

Without entering here into any discussion of the nature and effects of the discipline practised on board His Majesty's ships, I will merely observe that, in spite of its excellent principles,—in spite of that general mildness of execution which is constantly recommended by the Admiralty,—in spite of the pains that are unceasingly taken by that Board, as well as by the commanding officers of ships, to see that strict justice be administered to the seaman, nothing can efface the mortifying impression from his mind, that he is subject to punishment of the most degrading nature, at the mere will and pleasure of his captain: you cannot conceal from him that his happiness or misery, while in the service, solely depend on the personal character of a single individual, who may be repeatedly changed; whose successor may have different notions and views of the service generally; and local regulations of a nature totally dissimilar, and, in many instances, diametrically opposite to those which he has been hitherto accustomed to obey. These ideas will continually obtrude themselves, and nothing but the removal of the cause, or countervailing advantages, will neutralize the irritable feelings to which they give birth: the latter may be immediately applied; and, in the course of time, corporeal punishment really, though perhaps not nominally, removed.

A man, on entering the king's service, finds himself as it were in a prison—a splendid one,

but still a prison, where he knows he must remain during the continuance of hostilities. He is liable to serve in any country, for any length of time ; he receives no pay when abroad, and has always six months' arrears due, when at home : his pay is much below that which he *could* earn, if left to himself. In war, the exigencies of the service rarely allow of time, or opportunity for leave of absence, and when occasions *do* present themselves, it is seldom granted, through fear of desertion ; he is subject to corporeal punishment ; to be watched, while on duty, by centinels ; ordered about by children ; obliged to do a thousand petty, nonsensical, but wearying and irritating duties, that scarcely allow him a moment's tranquillity. He has less, perhaps, of *hard* labour than in a merchant-man ; but much of what he has is infinitely more harassing, and frequently becomes a fertile source of sullen discontent.

“ The grand or fundamental principle of naval discipline,” says the author of the *Essay on the Influence of Tropical Climates on European Constitutions*, “ as promotive of health and comfort amongst seamen, consists in so artfully employing both mind and body, that the one may not be affected by apathy or chagrin, nor the other by indolence or over-exertion.

“ In exact proportion as this principle is kept in view and acted upon, will the end and object of naval discipline be attained ; and, whenever it

is disregarded, the inevitable consequences will be anarchy and disease.

“For this purpose, the code of interior regulations should be *mild* and *judicious*, in order that a rigid performance may be enforced; and, instead of the many different orders that are suspended under the decks of ships throughout the navy, *there should be one simple uniform system of interior economy, signed by the Lords of the Admiralty, perfectly adhered to**.

“When seamen are convinced, that nothing but an unforeseen exigence, or indispensable necessity, will cause a deviation from the routine of duty prescribed, they know exactly what they have to do: their minds are accordingly made up to the performance of it, and they go through it with alacrity, in order to have the intervals for their own amusement, or private occupation.

“But where order and punctuality are not rigidly enacted and followed up, the equilibrium in the division of labour becomes unhinged, and the greatest share of toil often falls on the best men; never being certain of the exact periods of duty and relaxation, they frequently become listless, lazy, dissatisfied, and careless about their personal cleanliness—the consequences of which

* This has, at length, we hope, commenced by a new system of great-gun exercise; and we trust that it will be followed up by other regulations of the same nature.

need not be pourtrayed*. The great art, then, seems to consist in properly appreciating the capacities of the men, and so appointing their respective duties in every department, as to get them into a kind of mechanical train ; when the future superintendence will be easy and pleasant, and the health of the crew secured."

But to return. It is possible that, from the character and opinions of his commanding officer, the sailor may not experience many of the inconveniencies above enumerated ; but the consciousness of being, at any time, liable to them must remain, and the apprehension will exist conjointly with the possibility of his suffering from the evil ; or until other advantages are introduced, of a nature to counterbalance that terror, which universally pervades the maritime classes of this country when a man-of-war is in question ; and

* One very important thing may be here mentioned, although not strictly connected with the subject before us ; namely, the expediency of having a more commodious place for the men to make use of, instead of the exposed, and sometimes even dangerous situation, of the head or fore-channels : this may appear ridiculous, but it is a fact, that many men will suffer all the inconveniences of long retention, by which their bowels are disordered and their health injured, sooner than run the risk of being ducked over head and ears ; and we are convinced, that a little more attention to this point would save many of those feverish colds and fits of illness so common after a continuance of bad weather.

perhaps nothing would contribute more to such an end, than an immediate and decided improvement in the situation of *petty officers*, with respect to pay, privileges, character, and authority.

The most favourable circumstances connected with the King's service, which are not equally enjoyed in that of the merchant, are, in the first place:—

The great care and attention paid to the sick.

2nd,—The pensions given for service and wounds, as well as the pecuniary compensation for accidental hurts received in the service, which is known by the name of *smart money* *.

3rd,—The scrupulous regard paid to the quality of the food, and the certainty of enjoying the luxury of fresh provisions and vegetables whenever they can be procured.

4th,—The assurance of not being imposed upon in the purchase of their clothing, although this is, perhaps, balanced by the sailor being obliged to have an assigned number of each sort; amounting to more than is required in the merchant-service, where so much importance is not attached to appearance and cleanliness.

5th,—The allowance of spirits, which few, if any, merchant-men issue to their crew.

* *Smart money*, we believe, is, by a late regulation, done away with.

6th.—Short allowance money for the above and other provisions, if not consumed; whether voluntarily, or from the necessities of the service.

7th.—The excellent arrangements by which any man may allot a portion of his pay to his wife and family during his absence. And, lastly,

If we add the universal hope of making prize-money, it will comprehend every benefit a man can possibly anticipate by entering His Majesty's naval service; for the rank of warrant-officer, although a great object *after a man has been some years* in the navy, is seldom a sufficient temptation to enter.

Of the above advantages, the first, second, and *last*, are distant or contingent, and the seventh a partial convenience; consequently, ill-calculated to balance the immediate, and, therefore, more influential evils, that are in the other scale, and press with greater weight on the imagination: for there are few men of that temper, who will voluntarily suffer an immediate and lasting evil, for the distant prospect of an uncertain good.

These appear to constitute the material objections, and the probable reasons of that dislike to the King's service, so much deplored by all those who wish well to their country, and feel the importance of making the sea-service the ambition, and not the bugbear, of the people; and the only mode of subduing this disinclination is that of meliorating the condition of the men, by a milder and

better managed, but not less efficient discipline; which will soften the harsher features, and remove many of those asperities that now obstruct the channel of communication between the maritime population and His Majesty's service. But surely the noxious custom of impressment is ill-calculated to accomplish this object; its immediate effects are the concealment, and the smuggling away of the prime seamen, in which a cordial assistance is rendered by every inhabitant of the district; the driving of many totally from their profession, which, by enhancing the value of their labour, raises wages, and magnifies the hardship, by shewing the impressed men what they could earn if free: thus increasing the temptation to desert whenever an opportunity offers. Let us add to all this, the deep curses so heartily bestowed on the authorities employed, arising from that universal hatred which accompanies the execution, and will ever frustrate the object, of bad and oppressive laws; together with the enormous expense necessary to enforce them: which is far beyond the benefit produced,—if that can be called a benefit, which drags a man into a service he detests, to associate with the abandoned refuse of the gaols,—which too often forms his companionship.

Let us consider these things, and we shall hardly be disposed to give our unqualified assent to the custom of impressment: while we legislate against *crimps*, who, at least, succeed by their wit, we

should not dignify brute force with the solemn sanction of the law !

Amongst all those feelings that worry the human mind, perhaps there is none more irritating, and less easy to be borne, than that of confinement ; it is particularly so to that of the sailor, with whom a restless love of change, and a childish impatience of the monotony of life, are peculiarly characteristic, as must forcibly strike any one who takes the trouble to study his disposition. Active, bold, and daring to a fault ; careless, improvident, and unsuspicious ; perfectly aware of what is right, and open to reason where it is fairly urged ; yet easily led astray ; hating sameness and inactivity, any change is a recreation ; and consequences pass across his mind like a summer cloud : always well inclined to go the full length of his tether, and beyond it too, he quickly sees through the character of his captain, and governs himself accordingly. Peculiarly susceptible of impartial justice, he is easily ruled by the man from whom he is certain of receiving it ; buoyant with life and spirit, as long as he is kept in constant, but not overstrained, employment ; though spoiled by idleness and indulgence ; naturally capricious, he has his sullen moods and sulky fits,—in which he must sometimes be indulged,—always watching him as a child, he must still be governed as man. With such a disposition, and when we also see (even in time of peace, when there is no impressment,) men,

who have invariably conducted themselves well ; who have had two or three years' wages due ; who were well aware that, in the course of a few months, they would be paid up and discharged ; who were allowed to go and amuse themselves on shore, whenever and as long as the public service would permit ; whose sole restriction was that of returning to their time, in order to give others their turn on shore ; who were never subject to much punishment themselves, and had no complaints to make of their officers !—when we see people, under these circumstances, deceived and deluded by some idle absurd tale of making their fortunes (a thing of frequent occurrence on the North American station), without a second thought, forfeit all the advantages of a long service, we cannot be surprised at the impatience with which the confinement of a King's ship is borne in time of war, when no prospect of emancipation is before them, or one so very distant as to be scarcely discernible.

In the present inquiry, there are two objects to be sought : namely, the most probable method of softening, or, if possible, removing the prejudices of those people who are liable to be more immediately called on to serve on board the fleet ; and, secondly, the most efficacious means of securing a prompt supply of young seamen, ready to serve on an emergency ; and sufficient to give time for a voluntary enlistment, without having recourse to

coercive means, or being under the necessity of emptying the prisons to maintain the honour of the British flag !

To accomplish the former object, the system which for some years has been pursued by the Admiralty, of discouraging, as much as possible, the frequent use of corporeal punishment, should be persevered in. But then, an effectual substitute should be introduced, and legalized by Act of Parliament ; and the captain should *not* be driven to the necessity of *inventing* punishments, which may subject him, at any time, to prosecution, in a court of justice, merely to keep up the discipline of his men, without the appearance of excessive castigation ; or, which is worse, neglect all discipline, in order to transmit a blank report of punishments, and thus gain favour at the Admiralty Board.

No doubt a ship may jog on, through three years of profound peace, without either punishment, discipline, or accident. Her captain may gain a good name, both with the crew and the Admiralty ; while his neighbour, whose vessel is really efficient, may subject himself to severe, though unmerited censure, because he prefers the good of the service to mere popularity, and the favour of his superiors ; and patiently waits for some opportunity, that will mark the real state of the ship. Solitary confinement, for a period, which should never exceed ten days, without a court-martial, would probably be found to answer the above purpose ; and, with

some of the most hardened dispositions, much more effectually than flogging. This is not theory. It has been tried, with favourable results, which had been in vain hoped for, or expected from the latter mode of punishment; and, with reference to the *same individuals**, on whom the lash had *totally and entirely failed†*; although, at the time, it swelled the quarterly reports of punishment to a size *that assumed the appearance* of undue severity; when, by an examination, it would be seen that the mass of punishment fluctuated between some half-dozen individuals; and even this might have been almost entirely dispensed with, were captains allowed to discharge those men who were notoriously bad characters; such as thieves and incorrigible drunkards, &c. But there is a prevalent opinion in the navy, that the Admiralty thinks such a proceeding would act as a sort of *premium to bad behaviour*: and where

* One of these was afterwards hung at Liverpool, for a crime (I think, mutiny) committed on board a merchant-man.

† In opposition to what is here stated, it is thought fair to quote the following extract from the Report of the Committee of the Millbank Penitentiary, February 1827:—"The Committee have found, by experience, that confinement in a dark cell, though in most cases a severe and efficacious punishment, operates very differently on different persons. It appears to lose much of its effect from repetition; it cannot always be carried far without the danger of injuring the health of the prisoner; and there are individuals, men as well as boys, on whom it is found to produce little or no effect."

your crews are principally composed of pressed men, such reasoning is not without its force ; but all fears of this sort might be set at rest by making it the *interest* of the steady well-behaved seaman to remain*. As the system is at present, an entire ship's company is kept in hot water, and frequent punishment is inflicted, merely because a few incorrigible blackguards are allowed to continue on board ; for no other purpose, it would seem, than to bring the rest into difficulties : “ A little leaven leaveneth the whole lump †.”

It is one of the sins of our naval service, that while all the powers which give full scope and activity to the base and malignant passions of the mind are bestowed with prodigality on the commanders of our ships of war, those which are more calculated to induce the exercise of the finer feel-

* Since the above was written, instances have occurred where permission has been given to discharge troublesome and notorious bad characters, with orders to indorse on their discharge tickets, “ *Unfit, and unworthy of His Majesty's service.*” But many such applications have also been refused ; and, undoubtedly, permission should not be given without *due inquiry* and *extreme caution* : it should be the act of the commander-in-chief, or senior officer, after having received the report of a Court of Inquiry, of which the captain, demanding permission, should not be a member. And all men discharged in this manner, on a foreign station, should have a passage home provided for them, gratis, if required.

† By application to the Admiralty, bad men may now be discharged, “ with disgrace,” from the service. 1827.

ings are doled out with an ill-judged parsimony. The means of punishment are extensive ; those of reward confined. Hence the captain is perhaps more frequently considered as the pedagogue, than the friend of the men ; and, while he is obliged to preserve discipline, by occasional acts of severity against the culprit, he is left, comparatively, destitute of the power to recompense the well-conducted man. Virtue, they say, is its own reward : now, although this is, no doubt, a comfortable and necessary reflection on board a man-of-war, yet something a little less intellectual would, it is presumed, be of more real use in banishing that phantom which causes so much terror to our maritime population, and so much injury to the commonwealth.

This great power of inflicting punishment is attended with another inconvenience, inasmuch as it holds forth strong inducements to those officers, who (in many instances, from the most amiable motives,) are more susceptible of the pleasures of popularity than the necessity of discipline, to sacrifice, at the shrine of the former, those offerings which are exclusively due to the latter ; and it is well known that the consequences of such conduct, in the event of a change of captains, have frequently been a moody discontent, which has sometimes ripened into danger and disobedience.

The most useful class of petty officers on board a man-of-war, is that which answers to the non-

commissioned officers in the army; it consists of captains of the fore-castle, tops, &c., gunner's and boatswain's mates, quarter-masters, and some others, who, from the influence of their situation and character, are known by the denomination of *leading-men*; they are the immediate superintendents of almost every duty, are generally chosen for their skill and good conduct, and are entitled to more pay and prize-money than the foremast men; they have, especially the boatswain's mate, a hard and disagreeable task to perform, and require strong and constant support, which should rest as much on the respectability of the office itself, as on the authority of their superior officers imparted to them. Hence, it is obvious, that the more honourable the situation becomes, the more worthy will be the candidates who present themselves; and the more it is made an object of ambition, so much the greater is the chance of its duties being well executed, while the crew, in general, will feel not only the necessity of respect and prompt obedience, but will be inclined to give it cheerfully, from the evident expediency of shewing deference to a power exercised by one of themselves, and a respect for an authority, to which any one of them may succeed by his own industry and good conduct *alone*. For it is so plainly the interest of the captain to have good petty officers, that instances of partiality, in their appointment, rarely occur; although, it must be

confessed, that many disappoint the hopes previously formed of them, and totally fail in the duty of an officer, though unexceptionable in the subordinate rank; nor is this wonderful, for how many do we see "*qui brille au second rang, s'éclipse au premier.*" Besides the skill, energy, decision, and, we may add, determination of character necessary to form a good petty officer are rarely to be found united in the same individual. It is a difficult and disagreeable task, for any man to assume the officer over his companions one moment, and to give way to all the confidence and social intercourse of a messmate the next; particularly for the boatswain's mate, one of whose duties is to flog culprits, a duty which, we think, would be much more properly performed by men who themselves had committed some offence, and were sentenced to exercise this part of a boatswain's mate's office as a punishment. On shore, amongst soldiers, such transitions may be more easily accomplished, because *there* people are not so mutually dependent, but on board a ship, (at the best of times barren of amusement,) heart burnings, suppressed and secret enmities, and other petty annoyances, render life intolerable. Few, therefore, can stand the taunts and ill-humour of their associates, and still more rare are those who will not rather conceal the offences of seamen under their orders, at the expense of discipline, and therefore with more trouble to

themselves, than render their lives uncomfortable among their shipmates below, by a strict adherence to their duty. We, no doubt, occasionally meet with some of those predominant spirits, who know how to preserve their ascendancy as well during the unguarded intercourse of social amusement as in the severest duties of their station, but they are thinly scattered; and still more uncommon are those who have the *art* of making themselves as beloved off duty, as they are respected in its execution: such men seldom remain long in a subordinate station.

The commissioned officers and midshipmen have a far more easy task; they are, in general, separated from the men by their birth, habits and amusements, and quite independent of them for their social enjoyments: they reflect more, have greater responsibility, and consequently *feel* the absolute necessity of separating the officer from the companion and messmate as regards themselves. Such consideration can hardly be expected from the foremast man, (at least until he is better educated than at present) who feels the pleasures of society as much as his officer, and is more unwilling to sacrifice them to the *etiquette* of the service.

To compensate as much as possible for these infirmities, or weaknesses of our nature, which every man not totally devoid of all social feelings, must be fully sensible of, we would suggest a few alterations in the present system, that, perhaps,

might be attended with beneficial effects : we think that there has hitherto been too broad a line of distinction between the officers and men, which has probably been widened since the mutiny ; the descent is too abrupt ; the custom of acting as if each were a party opposed to the other, has, even unconsciously, prevailed too long ; and the slightest traces of such an impression should be effaced. What we desire is, to make "*the good of the service*" (a much abused phrase !) a sort of *vanishing point*, to which all lines incline, to blend ranks without mixing individuals, and ultimately dissolve that imaginary barrier which sometimes induces men to fancy their interests and those of their officers to be in opposition.

The only rank between the *gentlemen-officers* and the men, is that of warrant officer ; we would establish another, by making that of petty officer infinitely more respectable than it is at present ;—approach it nearer to the situation of warrant officer, and this last will become still more estimable.

In the first place, an increase of pay in the above class of petty officers is indispensable, if we wish to make the service palatable to men of parts and character ; perhaps the prize-money should be more equally divided, the captain's share further reduced, and added to that of the able seamen and petty officers :—we say *perhaps*, because it has been several times suggested, and we agree to it as far as it will be useful in adding to the value

of the rank of petty officer, and the situation of able seamen, with less expense to the public; but then *the total responsibility of taking prizes must be also withdrawn*; the captain's share is, we think, *less* than it ought to be, when that heavy responsibility is considered: he should not be subject to prosecution in the Court of Admiralty, years after a peace is concluded, for the mere execution of his duty during the war; he should not be subject to be reduced to poverty, and obliged to fly his country to avoid the consequences of such prosecutions. Take away all these risks and penalties, the attendant train of a mere error in judgment, perhaps too in that of the judge, and *then* a more equal distribution might take place with some effect, if compensated by a small increase of pay*. Few officers would grumble at this, were they convinced of its tendency to abolish impressment, and enable them to man their ships with able and respectable seamen; for we are inclined to believe that there is a great deal too much patriotic feeling amongst British officers to place their own private interest in comparison with an acknowledged public good: there are, no doubt, many who, from old and early habit, are strongly and naturally prejudiced in favour of a

* Let the Admiralty be alone responsible to the owner; and the commanders of ships amenable to a Court-martial, if that board doubt the propriety of their conduct.

system under which they have fought, bled and conquered, and are, therefore, decidedly hostile to any change; these it will be difficult to convince, but, when once convinced, they will cheerfully concur in any measure that may facilitate the discontinuance of a practice so revolting to their feelings as that of impressment. Besides these, we have all the seedling officers, who, if peace continue, will command our ships; and being all men of rank and fortune, will no doubt promote such an arrangement with all the eagerness of that patriotism which, as has been officially announced to us, makes them quit their luxuries and amusements purely to exalt the dignity of the service, by honouring it with their titles and hereditary skill*. Let the names of Collingwood, Hood, Jervis, and Nelson, sink into oblivion, for *they* were not supported by the air-blown bubbles of aristocratic folly! The petty officers should have more and better accommodation in their births than the other men; they should be restricted to forming messes amongst their own class, or, under the sanction of the commanding officer, be allowed to admit any of the foremast men of unexceptionable

* "When persons, born to every advantage that society could afford, chose to abandon the comforts of which they were in possession, to fag with others upon the seas in the service of their country, they were entitled to peculiar consideration."—*Vide Debate in House of Commons on Navy Promotions, June 19th, 1823.*

character : but this should be considered as a pure indulgence,—a sort of reward to the latter for good behaviour.

They should, in addition to their pay, have two suits of uniform given to them in the year, which should be well made and of good materials, in order to prevent the idea of being *clothed by charity* creeping in amongst them, a notion that might, at least, be attended by pernicious effects : on the contrary, this clothing should be of such a nature as to ensure its being considered an object worth having. They should be appointed to their situation by a *warrant* from the captain, of which he should have the power to *suspend* the authority, *but not cancel*, without a court-martial : this might be either *general*, or held on board by certain commissioned officers belonging to the ship, under the *written* order of the captain, and the sentence subject to his approval.

The sentence and the minutes should be preserved in writing, and transmitted quarterly to the commander-in-chief, along with the reports of punishment.

If the petty officer prefer a general court-martial, he should be allowed the appeal, but, in the mean time, be suspended from pay and duty, *as petty officer*, the former of which should be enjoyed by the man who did his duty for the time, unless an ultimate acquittal took place, in the event of which every thing should remain as before, the pay during this time remaining as it were in *abeyance*.

A man who had once enjoyed the respectable situation as petty officer, should not, after having been reduced, by what we may term a *local* or *capstan-head* court-martial, be subject to corporeal punishment for the *first* crime afterwards committed, without having been first sentenced to it by the judgment of a similar court; he should afterwards be put in every way on the same level with the private seaman.

But no petty officer, who had suffered degradation by the sentence of a general court-martial, should afterwards be eligible to that situation during the continuance of the war; and no petty officer so reduced should have the benefit of a court-martial for the first fault subsequently committed, but he should in every respect be at once placed on the footing of a foremast man, and lose the advantage that his service, as a petty officer, would give him in his claim for a pension afterwards.

In this manner a broad line of distinction might be traced, without as it were *pitting* the petty officer against the seaman: in short, no expense or trouble should be spared to make the situation of this really useful class a worthy object of ambition to every respectable man, and let that pernicious maxim of "*divide and govern*" give place to *union and discipline*.

Warrant officers should be exclusively selected from this class, unless some rare occasions of individual merit rendered it advisable to deviate from

the general rule: and, to qualify them for that rank, a certain number of hours during the week should be devoted by the schoolmaster, or captain's clerk, or by any other person whom the captain may choose to appoint, to teach those petty officers who might be desirous of learning, to read and write, and the principles of arithmetic and navigation, in which a certain progress should be indispensable before they become eligible to the rank of warrant officer.

The formation of libraries should also be encouraged on board every ship; they should be set a going by the captain and officers, but the *management* left to the people themselves, who would then take a greater interest in them, from the idea of their being more their own property: this would make reading more popular amongst them. The Bible did not do much good, when distributed *gratis*; but when it came to be charged to their pay by an Admiralty order, without asking their consent, it became a grievance*. Let them have useful and amusing works, such as voyages and travels, which always interest the sailor; the introduction of improper books might be easily prevented by certain regulations. The love of learning thus gently encouraged, for the books *would* be read and listened to, might, we

* If people wish to read the Bible, they will always contrive to get one; if they do not wish it, its being distributed *gratis* will not induce them.

are convinced, promote a spirit of intellectual improvement, that would, probably, be attended with the most beneficial effects. It would employ many a leisure hour, that might otherwise be given up to idleness, discontent, and grumbling; and if once a desire of information were created and spread, even in a partial degree, amongst the seamen, the influence of that description of person well known in the service by the name of a "*sea-lawyer*," and who originates more trouble and discontent than is generally imagined, would cease altogether, and with it much punishment. For these people, with some quickness, and just enough learning to make their ignorant companions fancy them very clever, because they don't understand their phrases; and the further aid of a flippant tongue, gain a degree of influence that has frequently led to mischievous consequences. It would be a fruitless attempt to reduce these people to the level of the others, but a noble one to raise the others high enough to see their emptiness.

With respect to the foremast men, there should be a permanent addition to their pay, which, for able seamen, ought to be raised to 2*l.* a month *at least*, this being about the average rate of the merchant service during peace, and would, with the hopes of prize-money, particularly if there was an increased rate, hold out sufficient inducement to balance the augmented value of their labour during the war, provided the service assumed a

milder tone, and the people were sure of being at liberty at the termination of a *certain period*. The absence of impressment would, moreover, be the cause of a lower rate of wages in the merchant service, as the seamen would no longer be forced from their employment, and obliged to seek some other means of livelihood in the interior, nor be driven to fly into foreign countries for that protection which to *them only* is denied in their own!

It is a strange anomaly, in a country calling itself free, that so shameful a violation of right and justice, such abominable contempt for the liberty of the subject, such a total disregard of humanity, in short, so complete a breach of every law, human and divine, should be allowed to exist a moment after an enlightened Legislature has directed its attention to the subject, and a favourable occasion presents itself for a reform; and how disgusting it is to see the advocates of this reform not only not attended to, but almost hooted by a British House of Commons!

“Necessity commands it, expediency justifies it!” yes, and so they may the suspension of the Habeas Corpus Act; but will any one argue from this, that milder remedies are not to be resorted to first, and when they *fail*, then necessity and expediency may be good argument.

For the *period* of service above-mentioned, we would recommend about ten years, as it would,

probably, run out a war (it is unlikely that they should all continue as long as the last), and yet be sufficient to give a man an interest in the service, without being too long for him to look forward to his discharge; to which he should be entitled at the end of that time, but to no pension except for wounds, or diseases contracted in the service, as is now the practice. As an inducement for him to re-enter, his pay should be increased; and he again should have the option of retiring after five years' additional service, *with a small pension*; or, if he again entered, he should be entitled to a trifle more pay: and the pension now given at the end of twenty years' service. Another thing that would tend considerably to reconcile seamen to a man-of-war is, the receipt of a certain portion of their pay on foreign stations, especially in time of peace, when no prize-money is forthcoming to give them animation, and when every thing is comparatively dull and languid*.

* Since this was written, I understand that the Admiralty either has made, or is immediately about to make, some regulation of this sort, which, in addition to the plan suggested by Sir John Phillimore, and adopted by that board, offering the seamen money instead of half their former allowance of spirits, is a great improvement. Sir John Phillimore, in particular, deserves the greatest credit for his suggestion, as does his crew, for the good sense with which we understand they immediately acceded to his wishes on the subject.

The supplies for the Navy are *annually* voted by the House of Commons; but how frequently have men been ten, fifteen, and even twenty years abroad, without receiving a single farthing of pay! what becomes of this money? they surely are entitled, at least, to the *interest* of it? why should it be so long and unnecessarily detained from them? The answer is, that it prevents desertion. In some instances, this may be true; but it *as* frequently has no such effect. Make them comfortable where they are, and such measures need never be resorted to: leave of absence should be given as often as the duties of the service would allow, and let all other possible methods be adopted that may tend to stifle the idea of confinement; such as games and manly exercises; the use of the cutlass, which should be particularly taught, both as a point of discipline, and as an exercise and amusement; it is now partially so, and irregularly attended to; it should be general, and strictly enforced. The officers should promote all these games and exercises by occasionally joining in them. *Their example* gives that spirit necessary to prevent their languishing: as much of the gymnastic exercise, taught at the Naval Asylum by Captain Clias, as could be practised on board a ship, would be an invigorating, active, and useful amusement; it would give confidence to the men when aloft, and an increased celerity to all their movements.

Much will, undoubtedly, be said of the expense, the difficulty, the impossibility of the plans we propose; a great deal will be repeated that has already been said in objection to the introduction of local courts-martial, but it must be admitted that the less punishment is allowed to proceed from the arbitrary will of a single individual, and the nearer justice is reduced to a certainty, the sooner will the clouds of popular prejudice disappear; and, once dispersed, the native splendour of the British Navy will shine forth a noble object of attraction for the generous and ardent spirits who contribute so largely to its brilliancy!

The expense of such arrangements as we have mentioned would, doubtless, be considerable, but surely the success would justify the means. Expense, however, seems to be no obstacle to unnecessary improvements; witness the immense sums voted for Windsor Castle, for Buckingham House, the Parks, &c.! If we are able to afford these things for embellishments alone, something might be spared to justice and humanity,—even were the public benefit entirely overlooked. But let us take into calculation the great sums given in the shape of *Bounty*, during the late war; much of which was a dead loss, from the desertion of the individuals who received it, and whose sole object in entering was to defraud; together with that similarly lost by the desertion of men after having received the two months' advance of pay, usual on

the first equipment of a ship; and in connexion with the enormous charge of the impress service itself, all of which might be saved, it is confidently hoped that the extra expense would not be so very considerable, and the consequent advantages would be cheaply purchased indeed; for the voluntary service of a body of seamen in which you can place the greatest confidence, and which will neither require the superintendance of marines, nor render necessary that invidious distinction which it is the custom to maintain between that meritorious corps and themselves, is well worth a few hundred thousands a year to the country: and it is equally certain that the nation would willingly pay such a price for the satisfaction of wiping all traces of impressment from its records, and silencing those execrations that continually issue from the mouths of all who, either directly or indirectly, come within the line of its devastations.

The effect of such a reform, as we have hinted in the class of petty officers, would, in our opinion, be a reduction of punishment *in general*; and the introduction of solitary confinement would materially diminish the necessity of corporeal punishment in particular, which commonly ruins a good man, while it is despised by the blackguard. It should, however, *die a natural death, and not be suddenly rooted out*; let it be discouraged by every possible means, and at length suffered to fall into gradual and silent neglect. The regulation before alluded

to (in a note), of reducing the allowance of spirits, will conduce much to the reduction of punishment, and is in every way calculated for the seaman's benefit.

The consequences of all that has been here advanced would be, the increased respectability of the inferior classes of the service ; more intelligence would be spread among them ; less drunkenness would follow, hence better health* and more comfort, and a conviction on the sailor's mind that he would consult his true interest by remaining and conducting himself with propriety : that unfortunate panic at the bare mention of a man-of-war would subside imperceptibly ; her appearance in port would no longer be that of a wolf among sheep ; there would be a free communication and confidence between the two services ; the condition of the merchant seaman would be rendered more secure, and his treatment better, from the fear which the ship-master would have of losing his services ; for, as things now stand, it requires much bad usage before a man will break from his owners' employ by entering His Majesty's service.

These are outlines of measures that may, per-

* It is, perhaps, worth remarking, that since Government has paid so much, and such constant attention to the health of the seamen and the quality of their food, though sickness has wonderfully diminished, yet almost all the prevalent diseases are now of an inflammatory nature, whereas they were formerly the reverse.

haps, tend considerably to diminish, if not quite overcome, that reluctance to the King's service which so generally prevails: the time of profound peace is that in which they should be attempted, in order to give the system time to work; for the habits and apprehensions of years are not to be subdued in a day.

We may now consider the second object of inquiry, namely, the possibility of securing a supply of seamen sufficient to allow time for recruiting to the full amount voted by Parliament, in the event of sudden and unexpected hostilities.

For this purpose, we would recommend an increase instead of a diminution of the complements of ships in time of peace: for instance, in all classes of first-rates, there ought to be at least 900 *thorough-bred seamen*, exclusive of boys and officers; and all other classes in proportion.

Of these crews, those only who were on the home station would, on an emergency, be available for the purpose of *immediate* equipment.

We would, therefore, recommend two guard-ships, besides the flag, in each of the great ports, that is to say, in Portsmouth, Plymouth, Cork, and the river Medway. Taking these one with another, you will have twelve sail of the line, and about 9,000 good seamen, ready for sea at a moment's notice, if required; or, if not so immediately wanted, their crews distributed at the rate

of 200 men for each ship to be fitted out, would soon get forty-five sail of the line in a state of forwardness: or 100 men might be well spared from every 700, and set to work on board of each ship in progress of equipment, this 100 men, with the usual complement of marines, would get a ship nearly ready for sea in a month, as far as it depended on them; and thus, about thirteen sail of the line might be fitted out, while the former twelve sail might be sent to sea well manned.

The 100 men would also form the skeleton of a good ship's company, which might, and probably would be, filled up to a great extent during the course of equipment. Now, twelve sail of the line at sea, and thirteen in rapid progress, will, we venture to say, be able to meet any exertions of our enemies: no mention is here made of frigates and small craft, let them remain on their present footing; but many vessels might be sent out on foreign stations short of complement, to be completed on their arrival from the vessels there; which, being on the increased peace establishment, will be well able to spare the men. If this is thought too expensive, the number may be reduced one half, and you will still have twelve or thirteen sail, either at sea or in progress. The great object is, to establish a *nucleus* of steady disciplined men, on which a ship's company may be soon formed.

In peace these vessels need not be idle; they

should be considered as essentially attached to the home station, but not always kept there: on the contrary, they should be employed on any extra service that might be wanted, so that their absence did not exceed three or four months. Five of them might be very usefully employed in visiting the different foreign stations (the East Indies excepted), making a sort of *judicial circuit*, to hold courts-martial whenever wanted, and even relieve ships that are required to return home.

The certainty of being speedily able to get a court-martial assembled, would be a wonderful advantage in time of peace, when the men-of-war are thinly scattered upon a wide-extended station, and opportunity rarely occurs of assembling them: the bad consequence of this is, that culprits are either kept a long time in confinement, to the detriment of the service, or the humanity of the captain allows them to escape altogether, sooner than to subject them to it, after so much time has elapsed since the offence was committed.

A naval circuit of this sort would, perhaps, ensure a more strict and impartial investigation of facts, as the officers would be free from any sort of local or personal prejudice, and, by facilitating the means of justice, awe crime, and maintain discipline. All the judicial proceedings of this squadron should be recorded by a deputy Judge-advocate (a professional man), who should be attached thereto, and serve as precedents for future courts-

martial, a thing much wanted in the navy, particularly when a court is composed of young officers, a majority of whom, never, perhaps, attended a court-martial in their lives, or never profited if they did attend*.

This squadron should be commanded by the senior officer, as commodore, who should not be allowed to meddle with the duties of the station where he happened to be, although he were even an older officer than the commander there; his authority should be confined, simply to the holding of courts-martial when necessary.

The expenses attendant on the plan here proposed, might be roughly stated as follows:—

The estimate for this year (1825) was £.2 9s. per man per month for wages, and £.1 12s. for victuals: in the wages, that of the officers is of course included. Now, if we take the same estimate, *without* including the officers' pay, the greater part of which is an expense already incurred, and the half-pay of lieutenants nearly equal to their whole pay, it will, probably, at a rough calculation, be fully equal to, if not exceed

* I take this opportunity of suggesting the propriety of compelling the attendance of every lieutenant and midshipman that can be spared from the duties of the ship, at all courts-martial held in the fleet; and also of all captains and commanders, not members, unless prevented by very urgent necessity. The obvious utility of such an arrangement needs no comment.

the increased pay proposed to be given to the men and petty officers. We shall then have for the pay of 9,000 seamen—

By the month £.15,300

For victuals 14,400

Total, for pay and victuals ... £.29,700
per month, or £.386,100 per lunar year.

The wear and tear of vessels, &c. together with the ordnance department, will, according to the same estimates, be twenty-two shillings a month more, *viz.* seventeen shillings for wear and tear, and five shillings for ordnance—

In all, per year £.128,700

To which, add as above 386,100

Total £ 514,800
which would give a disposable force of 9,000 good seamen; a certainty of having twelve sail of the line always ready for service; with the means of getting twelve or thirteen more into immediate forwardness: this will appear, no doubt, at first sight, a great addition to the current expenses of the navy; but, if we deduct the actual cost of flag and guard-ships, the amount that would annually be given in bounty in case of war, the sums lost by desertion after having received the advance, the difference between the half and full pay of commissioned officers, the vast expense of the impress service, and, lastly, the beneficial

consequences that would follow an abandonment of that odious practice, the sum would probably be reduced nearly one half in numerical amount, and full value received for the rest.

From want of data, the calculation cannot here be made with any degree of accuracy, but the estimate of nearly £.200,000 *a year for the impress service alone*, cannot be far from the mark; this, however, does not so much signify. The wish *here* is to *suggest a system*, of which the details might be hereafter discussed, the necessary calculations made, and the plan matured.

Should the subject ever come fairly and sincerely under the investigation of the Legislature, it will, perhaps, be found that the sums now squandered in unexpired sinecures and undeserved pensions alone, would cover no inconsiderable part of the expense: and, notwithstanding it is a common observation, when an outcry is made against sinecure places, that their whole amount is but a trifle, and would afford little relief to the country, yet we may assert, *that is not a trifle which will enable you to maintain four or five thousand seamen without imposing additional burthens on the people**.

* Let it be remembered, that £.11,000 would nearly pay and victual 220 able seamen and officers for one year, who would, with the usual complement of marines, fit out two line-of-battle ships in three weeks; consequently, the income which does or ought to fall to the public, in consequence of

As a powerful auxiliary to this system of supply, every merchant-man of 150 tons and upwards, should be obliged to receive an apprentice in addition to her usual crew ; he should not be younger than fifteen, and should be fed and clothed by the owners, but subject to the inspection of all collectors of customs, or their deputies, at stated periods, not less than twice a year.

The feeding and clothing these apprentices might be considered a fair tax on merchants, for the immunity which they would enjoy by the abolition of impressment, and the exemption of their men from militia duties ; besides which, they should be assured of his services for three years in war, and five in peace, and never taken, even then, unless by an order from the Admiralty at home, or the commander-in-chief on foreign stations. He should be free from service in a man-of-war, if in the capacity of chief-mate or master ; but in all other situations he should consider himself liable to serve after three or five years, as the case may be : when once in the King's service, he should be entitled to all the privileges of other seamen, and three years of his apprenticeship, *in war*, should be counted as service, and consequently

the much and deservedly lamented death of His late Royal Highness the Duke of York, would be sufficient to maintain 600 men and officers, who, on an emergency, could fit out six sail of the line, and form the ground-work of their crews.

taken into the account when he became entitled to a pension, or to retire.

The ship-owners would be glad to compound by such an engagement for the abolition of impressment: it would give several thousands of fine young men annually to the service of the country, at the same time that it would relieve many poor families from the expense of keeping children, who could thus earn their own livelihood at an early age.

If the registered tonnage of Great Britain and Ireland, above vessels of 150 tons burthen, amounted to no more than 1,000,000 tons, there would be 10,000 fine boys educating for the service, of which we will allow half to be disposable yearly, thus making a disposable force of 5,000 young men, none of whom would be under eighteen years of age, and all well-grounded in their profession, and in the fittest state to make smart and active seamen. But as the whole tonnage of the united kingdom is about 3,000,000 tons, we may fairly double the above number.

Great care should be taken in the inspection of these young apprentices by the collectors of the customs; strict attention should be paid to their health and good treatment, and every possible means used to ensure their turning out well. The funds of the Marine Society also, might be employed with much greater utility than at present,

in placing boys on board merchant ships as apprentices, where they would learn their duty thoroughly, and be of service to the country, instead of being unprofitably spent in the maintenance of a parcel of boys who learn little else than the wickedness and worthlessness, which, as respects them, is proverbial in the navy.

We here take leave of the subject, with an earnest hope that, in the present session of Parliament, the question may be calmly considered, and dispassionately argued, receiving more attention and less prejudice than it has hitherto experienced, and at the same time bearing in mind the old naval adage, that "one volunteer is worth two pressed men."

FINIS.

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AN
INTERESTING NARRATIVE
OF
HIS LATE ROYAL HIGHNESS
THE DUKE OF YORK,
DURING
THE LAST SIX MONTHS OF HIS ILLNESS;
BETWEEN
THE 9th OF JUNE, 1926, AND THE 5th OF JANUARY, 1927,
FROM MINUTES TAKEN

BY
LIEUT. GEN. SIR HERBERT TAYLOR, G.C.H.

LONDON:
PRINTED FOR KNIGHT AND LACEY,
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1827

NARRATIVE,

§c. §c. §c.

THE interest excited by the situation of the late Duke of York, and by every circumstance connected with his long, painful, and lingering illness, from its commencement until the fatal hour which closed his valuable existence, has been so great, and the general feeling which it produced has caused so many particulars to be circulated and received by the public as authentic, for which there is no foundation, or at least very imperfect foundation, that I have, upon due consideration, been induced to draw up from minutes taken during this distressing and trying period of my attendance upon his Royal Highness, a statement, not of the progress of the disease, or of the treatment pursued, but of such circumstances and facts as will show the condition of his Royal Highness's mind under this awful visitation of Providence, will do justice to the exemplary resolution and pious resignation with which he met and submitted to it, and will satisfy his attached friends that his Royal Highness was, in every point of view, deserving of the respect and the affection which have so strongly marked their sentiments towards him, and of the deep grief and regret which his death has occasioned in their minds, and in those of the respectable and well-thinking individuals of every class in this country.

The state of his Royal Highness's health had, for some time, appeared far from satisfactory, and had occasioned more or less uneasiness to those about him; but the first indications of serious indisposition, such as to produce alarm, were upon his Royal Highness's return from Ascot to his residence in Audley-square, on the 9th of June, 1826, and Mr. Macgregor, who then saw him, urged him immediately to send for Sir Henry Hallford.

From that period his Royal Highness continued more or less an invalid, and was occasionally confined to his house.

Upon the 24th of June his Royal Highness removed for change of air to Brompton Park, the residence of Mr. Greenwood, who kindly lent it to him, and upon that day he sent for me, and told me that he had been unwell for some weeks, and that he did not think that he gained ground; that he did not feel alarmed, and that he had perfect confidence in the attention given to his case, and the skill of his medical advisers; but that he knew that they might entertain apprehensions, which they would consider it their professional duty not to communicate to their patients, and he might, therefore, remain ignorant of that which ought not to be concealed from him, and which he trusted he should learn without apprehension, although he did not deny that he should learn it with regret. That there were duties to be performed, and arrangements to be made, which ought not to be deferred to the last moment, and he felt that it was due to his character and station, to his comfort, and even to his feelings on this subject, that he should not be taken by surprise upon so serious an occasion. He considered it probable that the physicians would be less reserved with me than with him, and he charged me if I should learn from them directly, or should have reason to draw such inference from any expression that might drop from them, that his situation had become one of danger, not to withhold such knowledge from him. He appealed to me upon this occasion, for an act of friendship, he would add, for the discharge of a duty, which he claimed from the person who had been with him and enjoyed his confidence during so many years; he called upon me to promise that I would perform it whenever the period should arrive to which he alluded, and he desired that I would bear in mind that he wished me to deal by him as he was certain I should desire, under similar circumstances, to be dealt with.

I made the promise without hesitation, and it was received with a warm expression of thanks, and an affectionate pressure of the hand.

This was repeated, in allusion to what had passed at a later period of the day, when he got into his carriage to go to Brompton, and he then said that he felt relieved from great uneasiness by the promise I had given him.

His Royal Highness removed to Brighton on the 14th of August, for the benefit of further change of air; and I learnt from Mr. Macgregor, on the 17th of that month, that a change had taken place in his general state, and that symptoms had appeared which rendered his situation one of danger.

This distressing information was confirmed to me from

other quarters, and I determined immediately to go to Brighton, and to discharge my duty, but to be guided in the character and extent of the disclosure by such further communication as might be made to me by his Royal Highness's medical attendants of the nature and pressure of the danger. I pleaded business rendering personal communication necessary for my visit to his Royal Highness, and I went to Brighton on the 19th of August. Upon my arrival, I learnt from Mr. Macgregor that a favourable change had taken place, that his Royal Highness had gained strength, and that the most alarming symptoms had in great measure subsided; that his Royal Highness's situation might, therefore, be considered far more encouraging than when he wrote to me, but that it was impossible to consider it free from danger, although that danger had ceased to be immediate, and although there was reason to hope that the cause of alarm might be removed. He added that, from observations which his Royal Highness had made to himself, he was convinced I would find him prepared for any communication I might feel it my duty to make to him, and that, under all circumstances, I must exercise my discretion.

I then saw the Duke of York, who entered fully into his situation, and told me that, although much better then, and he believed going on well, he had reason to think, from the manner and looks of his medical attendants, that they had been alarmed, and felt much greater uneasiness than they had expressed, or might feel at liberty to express, and he wished to know what I had learnt.*

I did not disguise from him that, bearing in mind the engagement I had contracted, I had determined to go to Brighton, in consequence of the accounts I had received on the 17th, which had alarmed me, but that I was happy to find, on my arrival, that his Royal Highness's state had since been improving, and that much of the uneasiness which then prevailed had been removed; at the same time it was my duty to confirm the impression which he appeared himself to have received, that his complaint had assumed a more serious character, although great confidence appeared to be felt that the extraordinary resources of his constitution, and the strength he had gained since his removal to Brighton, would enable him to struggle successfully with the disorder. "Then," said he, "I was not mistaken in my suspicions, and my case is not wholly free from danger; but I depend upon your honour, and you tell me there is more to hope than to fear."

I assured him that such was decidedly the impression I had received from what Mr. Macgregor had said to me.

He thanked me, and proceeded to look over and give directions upon some official papers with his usual attention and accuracy.

He saw Mr. Macgregor the same evening, and questioned him; and he told me on the following day that Mr. Macgregor had answered him very fairly, and had confirmed what I had said to him, as did Sir Matthew Tierney later in the day. On that same day he told me that he felt stronger, that his mind was relieved by what had passed, as he knew he should not be deceived or left to form his own conjectures, and draw his own conclusions, from the looks and manner of his medical attendants and others about him; and that he had not for months slept so well as the preceding night.

I repeated to him, that I had come to Brighton under considerable alarm, and that I should leave it very much relieved. His Royal Highness was cheerful; and I heard from Mr. Macgregor and others that he continued so during the following days. Indeed, he wrote to me himself in very good spirits, and assured me of the comfort and relief he had derived from the proof afforded to him that he would be fairly dealt with.

His Royal Highness returned from Brighton on the afternoon of the 26th of August, to the Duke of Rutland's house in Arlington-street, having come in five and a half hours. He did not seem much fatigued, looked well in countenance, and conversed cheerfully with Sir Henry Torrens and me, who were in waiting to receive him.

He afterwards told me that his strength, sleep, and appetite had improved, but that the medicines he had taken had ceased to have the desired effect in checking the progress of the main disorder, and that he had therefore returned to town earlier than had been intended, in order, as he understood, to try some change of treatment, which he apprehended might be tapping. This was an unpleasant hearing, though it did not alarm him. He was determined to keep up his spirits; he knew his situation was a serious one, but he had no doubt, please God, he should recover, though he feared his recovery would be a work of time.

In the course of conversation I told him that I understood Sir Henry Hallford would be in town on the following day, and did not mean to return to the country. He observed it was very kind of him, but immediately added—"By-the-bye, not a very good sign either."

He then proceeded very quietly to official business, but Mr. Macgregor coming in, he, in the most calm and collected manner, questioned him before me, very closely as to his

state, beginning by these words, "Tell me honestly, do you consider me in danger?" "Not in *immediate* danger," was the answer. "But," said his Royal Highness, "you do consider my situation to be one not free from danger?" Mr. Macgregor admitted it to be by no means free from danger, but proceeded to state the grounds which justified his medical attendants in indulging hopes that his Royal Highness might look forward to a favourable issue.

Mr. Macgregor's answer produced further questions, all put with a view to obtain positive and accurate information as to the extent of danger, and he concluded by thanking Mr. Macgregor for the fair manner in which he had met them, and by saying, "I know now what I wished to know, and I shall be able to govern myself by that knowledge." During the whole of this conversation, which was of some length, his manner was firm and collected, though very serious, his voice free from agitation, his questions were put quietly, at intervals, as if well considered, by a man who was determined to ascertain his own situation, and his words were measured.

He afterwards desired me to repeat what Mr. Macgregor had said, as I understood it, that he might be satisfied he had not mistaken him. I did so, and he observed that he also had so understood him, but that he did not augur from it that his case was hopeless, which impression I confirmed. He expressed an earnest hope that the symptoms of his disorder were not generally known or talked of.

I have been thus particular in the statement of what passed upon these three occasions, to show how anxious his Royal Highness was not to be kept in the dark, how fearlessly he met the communication of the existence of danger, and above all, to show that he was early apprized of his critical state, from the contemplation of which he at no time shrunk, although he was at all times anxious to conceal from the generality of those who approached him, that he did not look forward with undiminished confidence to a favourable issue.

On the following day, Sunday, the 27th of August, his Royal Highness again spoke to me very quietly, in regard to his situation, and told me that although not alarmed, and although he had heard nothing that should shake his hopes of ultimate recovery, he could not conceal from himself that his situation called for serious contemplation. Whatever might be the result, there would be time for certain arrangements and the settlement of his affairs, but there was one duty he did not wish to defer; he felt, indeed, that it ought not to be deferred until it should seem to be imposed

by a conviction of immediate danger, and resorted to when hope had ceased to exist. He had, therefore, determined to take the Sacrament upon an early day, and to request his friend, the Bishop of London, to administer it to him; but he was anxious that this should not be known, as the alarm would be sounded, and various interpretations would be put upon an act, which was one of duty, resorted to on principle, and not from apprehension or affectation; he therefore directed me to see the Bishop of London, and to request him to come to him on the following Tuesday at twelve. He desired that I would explain to him his desire that the attendance should be quiet, and should not excite observation; that he wished the service to be simply that of the Communion, as he did not *now* apply to him for his attendance as upon a sick person. He also desired me to be present, and to take the Sacrament with him.

He told me that he had well considered of this act. He was sure that, under any circumstances, it would tend to his satisfaction, comfort, and relief, and that he ought not to postpone it.

I went to the Bishop of London (at Fulham), who received the communication with great emotion, and spoke in the highest terms of the exemplary feeling which had dictated his Royal Highness's wish, and said that he would come quietly to Arlington-street on Tuesday, at twelve, without robes (as upon ordinary occasions), and without notice to any one, and I engaged to have all prepared.

I returned to Arlington-street to inform his Royal Highness, and it was agreed that his servant, Batchelor, should alone be apprized of the intention, and that I should take care to keep others out of the way. His Royal Highness again said that he should derive great comfort from thus early discharging his duty. He also gave me instructions to clear his drawers in Audley-square of papers, and to bring them away, and seal up those of a private nature. He said he should by degrees look them over and attend to other matters, but repeatedly assured me that all this was done and thought of without any apprehension of a fatal issue of his disorder, and that he was confident he should recover.

The Princess Sophia (who usually came every day at two o'clock) had been with him, and I asked him whether she was aware of his situation. He said he believed not, at least he had said nothing to alarm her; possibly, however, she might be to a certain extent, and he had therefore said nothing to undeceive her.

When I saw Batchelor, I learnt from him (what I had never previously known) that his Royal Highness, when he

did not go to church, never missed devoting some time to his prayers, which he read to himself, in general early, that he might not be disturbed, but if disturbed in the morning, in the afternoon or evening; and that, when travelling on Sunday, he always took a Bible and Prayer Book in the carriage, and was very particular as to their being placed within his immediate reach; and that although he did not object to a travelling companion on other days, nothing annoyed him more than any one proposing to be his companion on a Sunday.

His Royal Highness saw Sir Henry Halford on that day, and questioned him very closely as to his situation. Sir Henry told me that he had answered his questions fairly, and that he had found his Royal Highness in an excellent state of mind, and that he could not sufficiently admire the resolution and composure with which he sought for information, and dwelt upon the question of danger. He observed that there was no difficulty in dealing with such a patient.

His Royal Highness told me afterwards that Sir Henry Halford's conversation had confirmed the impression he had received from what Mr. Macgregor had said, and he expressed himself perfectly satisfied with it.

His Royal Highness continued in good spirits, and in the same composed state of mind on the 28th and 29th.

On the latter day the Bishop of London came at a little before twelve, and his Royal Highness was alone with him for a short time, after which I was called in, and his Lordship administered the Sacrament to us.

The Duke's deportment was serious as became the occasion, but firm and quite free from agitation. He did not appear nervous or affected, although he must have perceived that neither the Bishop or I were free from either feeling.

The Bishop of London told me afterwards that nothing could be more correct or satisfactory than all his Royal Highness had said to him, when they were alone, and that his state of mind was that in which he would wish, under such circumstances, to find that of any person in whose welfare he felt interested.

When I returned to the Duke of York, he appeared more affected, and he assured me that he felt a comfort and relief which he could not describe, and that whatever might be the issue of his illness, he had done what he ought to do. That he could now attend to other matters with increased composure.

In the afternoon, when I saw him again, he expressed to

me how much he had been pleased with the Bishop of London's mild and encouraging discourse.

That he had stated to his Lordship unreservedly, that he knew his situation to be a very serious, though he trusted not a hopeless one, but that he did not choose to postpone a duty which he conceived ought to be performed while he was in the full possession of his faculties, which might yield to disease sooner than he was aware of. That he had in the course of his life faced death in various shapes, and was now doomed to view its approach in a slow and lingering form. That he did not deny that he should resign his existence with regret, though he felt no alarm; he admitted that his life had not been pure, that there had been much in its course he wished had been otherwise. He had not thought so seriously on some subjects as he might have done, still he had endeavoured to discharge his public duties correctly. He had forbore from injuring or deceiving any one, and he felt in peace and charity with all.

Under these circumstances, he hoped he might look with confidence to mercy, through the merits of his Redeemer, and he had appealed to him (the Bishop) on this occasion, not only to receive the confession of his unworthiness, but to administer that comfort which his situation required. That his reliance and his faith in the Christian religion were firm and decided, and that his adherence to the pure doctrine professed and established in this country was unshaken as it had ever been. That, as he had declared these sentiments in a political discussion of the question, he was anxious that it should be understood, and that the Bishop of London should be enabled to state hereafter, if the occasion should call for it, that those sentiments were not professed in a political sense, and from prejudice and party feelings, but they were firmly fixed in his mind, and were the result of due consideration and conviction, and produced by an earnest solicitude for the continued welfare of his country.

After saying this, his Royal Highness told me that he felt very comfortable, and that if it should please God to restore him to health, he was sure he should be a better man ever after. He considered this trial as a mercy, for which he ought to feel grateful—it afforded him time for serious reflection, and he trusted that the time would not be ill-applied. He then entered into some questions of military business with great composure.

His Royal Highness underwent the operation of tapping on the afternoon of the 3d of September. It was performed by Mr. Macgregor, and it was borne by his Royal High-

ness with the same resolution and quiet composure which had marked his conduct under every stage of his illness. Colonel Stephenson and I saw him soon after. We found him a little exhausted, but cheerful, and quite free from nervous agitation.

About this period he received the communication of the death of Sir Harry Calvert, by which he was much affected, and he observed that he had deeply to deplore the loss of an old and attached friend, and a religious and good man.

For some days after the operation he was very weak, and his left leg was in a state which occasioned serious uneasiness, nor was the appearance of the other leg satisfactory. On the 10th, he examined the contents of some private boxes, and desired that they might be left in his room, but considered as consigned to my charge. His situation gave his medical attendants serious uneasiness, and his Royal Highness was perfectly sensible of it, nor indeed did I disguise it from him, when he questioned me.

Between the 12th and the 18th, his Royal Highness gained strength, and his appetite and sleep improved, but the state of his legs continued unsatisfactory. On the 19th he began again to take his airings, but the improvement had not been such as to induce his medical attendants to consider his state otherwise than very critical. He continued to take daily airings until the 16th of October. During this interval, he rallied occasionally, and his general health appeared, at times, to be improving notwithstanding the state of the legs, which became gradually more unsatisfactory, and often occasioned excruciating pain throughout great part of the day. His Royal Highness frequently spoke to me of his own situation and feelings, more especially on the 22d of September, when he told me he did his best to submit with patience and resignation; that he tried to keep up his spirits, he met his friends cheerfully, endeavoured to go correctly through what he had to do, and to occupy himself at other times with reading; but when left to his own thoughts, when he went to bed and lay awake, the situation was not agreeable; the contemplation of one's end, not to be met at once, nor within a short given period, but protracted possibly for months, required a struggle and tried one's resolution. But, after all, he did not know that he regretted it, or that he regretted that time was given to him which had turned his mind to serious reflection, and which he was certain had been very beneficial to him. If it should please God that he should recover, he would become a better man; if he did not recover, he would have to thank God for the time afforded for reflection.

I have noticed what passed on this day, to show that his feelings had undergone no change.

On the 16th of October, Mr. Macgregor desired that I should convey to his Royal Highness his wish that he would allow him to call in Sir Astley Cooper; that I would state that he had no reason to doubt his Royal Highness's confidence, but that a heavy responsibility was thrown upon him; and that it might be satisfactory to his Royal Highness; it doubtless would be to himself to resort to further aid and advice, as the state of the legs had unfortunately formed so prominent a feature of the case; at the same time he was persuaded that Sir Astley Cooper would concur in all that he had done. When I mentioned it to his Royal Highness, he objected, and assured me that he was perfectly satisfied with Mr. Macgregor's skill and attention, and that he would not, upon any account, appear to show a doubt which he had never felt, nor hurt Mr. Macgregor's feelings. I assured him that Mr. Macgregor was perfectly sensible of this; but that he owed it to his own feelings and to his character, as a professional man, to make this request. His Royal Highness then objected to the effect it might produce upon the public, to its getting into the newspapers, &c. I observed that measures might be taken to prevent this, and he finally agreed to Mr. Macgregor speaking to Sir Henry Halford, and settling it with him.

Sir Astley Cooper attended accordingly on the 17th, and continued to do so during the remainder of his Royal Highness's illness. Notwithstanding every precaution, it was impossible to prevent it being soon noticed in the papers, and when his Royal Highness learnt this, he observed, that his chief motive for wishing it concealed was, the apprehension that it might excite unnecessary alarm, which, as connected with his station and situation, might embarrass the government, and possibly influence the public funds. It could not affect him personally.

His Royal Highness's state fluctuated again between this period and the 6th of November, when there was a marked improvement in the condition of the legs, which continued until the 20th, when they again assumed an unfavourable appearance, which was the more to be lamented, as his Royal Highness's strength and constitutional powers had been giving way, his appetite and sleep began to fail, and the increasing evil was therefore to be met by impaired resources.

Towards the beginning of December his Royal Highness again rallied, so far as the legs were concerned, but his frame and his constitution had evidently become weaker, and his

Royal Highness himself expressed his apprehensions that his strength would not carry him through the protracted struggle.

Between the 8th and 17th of December there was again a sensible improvement in the legs, which might have raised the hopes of his Royal Highness's attendants, if the return of strength had kept pace with it; but he was visibly losing strength and substance, and on the 20th the legs resumed the appearance of mortification to an alarming extent, and the medical attendants agreed that his situation had become very critical.

Their apprehensions were still further excited on the 22d.; his appetite had totally failed him, and other symptoms were equally unfavourable. Still he kept up his spirits, and, although my language was any thing but encouraging, he *appeared* to feel sanguine of recovery. This impression was not justified by the opinion of the medical attendants, and I became very anxious that his Royal Highness should be made aware of the increased danger of his situation. I urged this point with Sir Henry Halford and Sir Astley Cooper, assured them that they mistook his Royal Highness's character if they apprehended any ill effect from the disclosure, and represented that it was due to his character, and to his wish to discharge the duties which he still had to perform.* In the course of the day they yielded to my representations, and authorised me to avail myself of any opening, which his Royal Highness might give me, to make him sensible of the increased anxiety and alarm which I had observed in his physicians. I was to use my discretion as to the mode, the nature, and the extent of the disclosure; it would probably produce reference to them, and they would then confirm the impression conveyed by me.

I saw his Royal Highness at five o'clock, when I took my official papers to him. He gave me the desired opportunity at once, by asking what the doctors said of him? His servant being in the room, I gave no immediate answer, and he waited quietly until he had left the room, and then repeated the question. I spoke to him as had been agreed with Sir Henry Halford, adding, that my own anxiety, and the uneasiness I had already expressed to him, had led me to watch the physicians, and to endeavour to extract from them what their real opinion was, but that they were cautious, and were evidently unwilling to authorise me to express their alarm. I could not, however, forget his Royal Highness's appeal to me in Audley-square, nor the pledge I had given him; that I knew his Royal Highness did not wish to be taken by surprise; that I felt he ought not to be taken by surprise;

and therefore I had considered it my duty to disclose to him the uneasiness I felt. He listened with composure, and without betraying any agitation, but asked me whether the danger was immediate—whether it was a question of *days*?

I repeated that I was not authorised to say so, and I trusted it was not. He said—"God's will be done; I am not afraid of dying; I trust I have done my duty; I have endeavoured to do so; I know that my faults have been many, but God is merciful; his ways are inscrutable; I bow with submission to his will. I have at least not to reproach myself with not having done all I could to avert this crisis; but I own it has come upon me by surprise. I knew that my case had not ceased to be free from danger; I have always been told so, but I did not suspect *immediate* danger; and, had I been a timid or a nervous man, the effect might have been trying. I trust I have received this communication with becoming resolution." I observed that I had not, for many days, seen his Royal Highness more free from nervous agitation, and that I had not been disappointed in my expectation that he would bear this communication as he did that which I had been called upon to make to him at Brighton. He desired me to feel his pulse, which was low, but even and steady.

He then put various questions to me, with a view to ascertain the causes of what he considered so sudden a change in his state. I accounted for it by what I had learnt from the physicians, and ended by repeating that I had felt it my duty, however painful, to speak out. He thanked me, gave me his hand, and said I had acted as I ought and as he expected, but he pressed me again to state "what was the extent of the danger, and whether *immediate*?" I repeated that I had been assured it was not immediate. "Whether his case was without hope of recovery?" I gave no decided answer, but said, that I could not extract from the physicians any positive opinion, but that their language was not encouraging. He said, "I understand you; I may go on for a short time, but may end rapidly; God's will be done; I am resigned." He then called for his official papers, and transacted his business with composure and his usual attention. He afterwards resumed the previous painful subject. I spoke to him about his private papers, and he confirmed some of the directions previously given to me upon that subject. He then spoke most kindly, took me again by the hand, and said—"thank you, God bless you." I had hitherto succeeded in controlling my feelings, but I could do so no longer, and I left the room.

I learnt from his servant, Batchelor, that after I left his Royal Highness, he had desired him to collect and pay some

small bills, that he began to write some memoranda, and appeared very serious, but quite free from agitation. His Royal Highness afterwards had some serious conversation with Sir Henry Halford, who did not disguise from him the uneasiness he felt, but did not admit that his case had become hopeless. He had found him perfectly calm and composed.

His Royal Highness sent for me again, and repeated to me, very correctly, what Sir Henry Halford had said to him; he afterwards saw Colonel Stephenson, who told me that he had conversed with him, very quietly, upon different subjects, and that from his manner, he could not have suspected that any thing could have occurred to disturb him.

He passed a good night, and appeared better on the following day. He saw the Adjutant-General, and Quarter-Master-General early, and gave his directions to them with his usual accuracy. I saw him soon after, and he told me that he had passed a good night, had rather more appetite, and was more free from pain; that this was satisfactory for the moment, but whether of any ultimate avail, a Higher Power would decide.

The physicians told me there was no improvement in his situation.

In the course of the day I submitted to him the official papers, and took his pleasure upon some general military arrangements, into which he entered with interest, but in the afternoon he became very languid and nervous, though he rallied again towards the evening.

On the following day, 24th December, he appeared better, and in good spirits, though incapable of much exertion.

On the 25th he was weaker, having had a very indifferent night. He saw the Duke of Wellington early in the day. The physicians told me that his Royal Highness's state was becoming daily more critical, and that it was desirable that I should avail myself of any opportunity which might offer, of drawing his Royal Highness's attention to the necessity of settling his affairs. I embraced it that very day, and proposed to him to send for his solicitor, Mr. Parkinson, to which he agreed, and I appointed him at ten o'clock on the following day; he afterwards went through his official business very quietly.

His Royal Highness saw Mr. Parkinson on the 26th, and signed his will, after which he shook hands with him, as if taking final leave of him. He afterwards saw the Bishop of London, who had at all times free admission to his Royal Highness, and had frequent conversations with him in the course of his illness, and the result of *this* interview was, that

his Royal Highness should take the Sacrament on the 28th, which his Royal Highness mentioned to me afterwards, adding, that he meant to ask the Princess Sophia to take it with him. I saw him again in the evening, and he appeared very cheerful. On the 27th he appeared better early in the day, but became more weak and languid afterwards. He saw Mr. Peel, who told him he had been much shocked by his Royal Highness's altered appearance. The Duke, however, spoke to me of himself in a more sanguine tone than usual.

His Majesty came to his Royal Highness in the afternoon, and found him very weak and languid, but he rallied in the evening, and looked over his official papers.

On the morning of the 28th, his Royal Highness appeared very weak, and had some attacks of nervous faintness, which, together with other unfavourable symptoms, satisfied the physicians that the danger was becoming more imminent. The Bishop of London came at twelve, and desired that three persons should assist at the holy ceremony, and proposed that Sir Henry Halford and me should be added to the Princess Sophia, which was mentioned to his Royal Highness, who readily agreed. Upon this occasion he came publicly and put on his robes; his Royal Highness was quite composed, and nothing could exceed his pious attention and calm devotion throughout the solemn ceremony. He repeated the prayers, and made the responses in a firm voice. Part of the prayers for the sick were read, but the service was, at the suggestion of Sir Henry Halford, the short service. The Bishop was very much affected, particularly when pronouncing the concluding blessing. The Princess Sophia supported herself wonderfully throughout the trying scene, and the Duke was quite free from agitation. After the service was over, he kissed his sister, and shook hands most affectionately with the Bishop, Sir Henry Halford, and me, thanking us, and as taking leave of all. His Royal Highness sent for me again in the afternoon, and went through some official business, to which he appeared quite equal. He expressed great satisfaction at having taken the Sacrament, and told me that the Princess Sophia had staid with him, and borne up to the last moment. He then asked me, whether his physicians thought much worse of him, he really felt better. I replied, they considered his situation as having become more doubtful than it had been, but that they had not at any time authorised me to say his case was hopeless. He observed, that he thought it was wrong to abandon hope, or to despair; but, setting aside that feeling, he was resigned to God's will. He asked whether I had any more papers requiring considera-

tion, as he felt quite as equal to business as he had been for two or three months past, and he wished none to be interrupted or suspended.

He afterwards saw Mr. Greville, who found him very cheerful.

He sent for me again between eight and nine, and I staid with him until ten. He appeared weak and uncomfortable, though not positively in pain. At ten, he said he should like to go to bed, but the usual hour had not arrived, and he would wait for Sir Henry Halford. I persuaded him to go to bed at once. This was the first night that he had anticipated the usual hour, and the medical attendants ascribed it to increasing weakness, against which he had hitherto contended. All agreed that he might linger on a few days, unless an attack of nervous faintness should carry him off suddenly.

On the following day, the 29th, his Royal Highness, after passing a tolerable night, appeared better. He had taken some nourishment, and his pulse was steady. He sent for me soon after ten, and spoke very seriously of his situation, but without alarm or agitation. He appeared very desirous of extracting very direct and unreserved answers; often fixed his eye upon me, as if to search my thoughts, and made me change my position, that he might see me better. I appeared not to notice this, but kept up the conversation for an hour and a half, on various subjects of business, &c. This succeeded, and he gradually became more at his ease. He was quite equal to any exertion of mind. When Sir Henry Halford came, he announced to his Royal Highness the King's intention to pay him a visit on that day, and his Royal Highness dressed and shaved himself, which he had not been able to do on the preceding day.

The physicians told me that the state of his legs had become more unfavourable. His Royal Highness saw the Adjutant-General and the Quarter-Master-General, and transacted business with them as usual.

His Majesty came at two, and staid an hour with his Royal Highness. His Majesty thought he looked better and stronger than on the 27th, but this was the last time he saw him, his Majesty's own indisposition having disappointed his anxious wish to have come again to him.

His Royal Highness sent for me at five, and went through his usual official business with me, after which he appeared tired and exhausted, and indeed he had previously retired to his bed-room.

He afterwards saw Colonel Stephenson, who found him in the same weak and exhausted state.

Towards nine he sent for me again, and I found him much oppressed, and breathing short, and in general unable to rouse himself. He dismissed me after a short time, wishing me good night, but between ten and eleven he sent for me again; I found him dosing, and when he roused himself he complained of inward pain, asked me how late I should stay in the house (he was not aware that I had slept in it for several nights), and again wished me good night.

He called for Sir Henry Halford, Mr. Macgregor, and Mr. Simpson, repeatedly in the same manner, and after wishing them good night. Sometime after, he again sent for Mr. Macgregor, who found him in one of his attacks of nervous faintness. Mr. Macgregor gave him some laudanum, and after some time he became more composed, and fell asleep.

I learned early in the morning of the 30th, from Mr. Macgregor, that his Royal Highness had had some sleep at intervals, but that he appeared much weaker, and that there were other indications of increasing danger. His Royal Highness had determined not to quit his bed-room.

He sent for me at half-past ten, and I remained with him for more than an hour, until Sir Henry Halford came. I was extremely shocked at the extraordinary change which had taken place in one night, or rather since the preceding morning at the same hour. He appeared extremely feeble, and under great uneasiness from pain, but otherwise composed, and, although suffering so much, he uttered no complaint. He asked me when I had come, and I told him I had slept in the house. He did not seem surprised or displeased, but said he concluded he was considered much worse, for Mr. Macgregor had been three times to see him in the night; but that he felt quite equal to business. I therefore brought forward a few subjects, and received his very clear instructions, though his voice had become so feeble that I could with difficulty hear him.

His Royal Highness saw the Dukes of Clarence and Sussex, and Sir William Knighton, who was going to Windsor, and through whom he sent an affectionate message to the King. To the Dukes of Clarence and Sussex he spoke cheerfully on the state of Portugal and other matters of public interest. The Princess Sophia was also with him for a considerable time.

Between nine and ten he expressed a wish to see Colonel

Stephenson and me, and we went to him, but he said little, and wished us good night.

He passed a restless night, and appeared much weaker on the following morning (the 31st of December), but continued perfectly sensible; took nourishment when offered to him, but showed no inclination to speak, unless spoken to. His medical attendants apprehended, from the increased weakness, the rapid approach of dissolution. I went to him by desire of the physicians between one and two. He took my hand and received me most kindly. He said, "here I am; I feel weaker but not worse, and I do not suffer pain." He moved his lips occasionally, but I could not distinguish what he said; he appeared quite sensible, very composed, and twice looked at me, the first time seriously, the second time with a placid, almost a cheerful smile; and I came away perfectly satisfied that his mind was free from anxiety and uneasiness. The Princess Sophia came in, and the manner in which he roused himself when she was announced was very striking. Her Royal Highness staid with him about twenty minutes. He continued very quiet throughout the rest of the day, and at half-past seven desired Sir Astley Cooper, who was going to Windsor, to give his affectionate duty to the King, and to tell him he was very comfortable.

On the 1st January, I learned that his Royal Highness had passed a very quiet night, with four hours good sleep, and that no material change had taken place in his state; that he continued perfectly sensible, took sufficient nourishment, and spoke whenever roused; nor were his legs in a worse state; on the contrary, their appearance had become more favourable.

Upon the whole, the physicians thought he might linger on longer than they had expected, such was the extraordinary resistance which his constitution opposed to the progress of the disease. The Dukes of Clarence and Sussex again saw him, and he received them affectionately, but did not speak, and they left him immediately. The Princess Sophia then went to him; he kissed her, and said—"God bless you, my dear love—to-morrow, to-morrow—" and she left him. He continued in the same quiet and composed state throughout the day, and occasionally told his medical attendants that he felt no pain, and was very comfortable. I did not see him.

The report on the following morning, the 2nd of January, was, that the night had been quiet, that he continued free from pain, and perfectly sensible, though he seldom spoke. Soon after nine he had a shivering attack, which was very alarming, and his pulse was hardly perceptible; but

he rallied. He had been moved nearer to the window, was quite himself, and asked whether the day was not a frost, which was the case. He became slightly delirious at twenty minutes past one, and other symptoms had become more alarming. Still he was quite sensible at intervals. The Princess Sophia was with him for a short time, and he recognised her.

The Dukes of Clarence and Sussex, who came in the afternoon, did not see him. His Royal Highness continued nearly in the same state, except that his pulse had been gradually lowering, and his breathing becoming very short, and his situation appeared so critical, that I and other attendants in the house determined not to take off our clothes. The street was crowded with people throughout the day, not apparently assembled from curiosity, but from anxiety; extremely quiet, and hardly speaking, except to inquire, in a subdued voice, what was the state of his Royal Highness.

I learned at six on the following morning (the 3d) from Mr. Macgregor, that notwithstanding a restless and uncomfortable night, his Royal Highness had rallied, and appeared then stronger, more inclined to talk and to take nourishment than he had been on the preceding day, and that it was impossible to calculate when the crisis would arrive. His pulse had also become more steady. The other medical attendants confirmed this at a later hour, and observed, that his Royal Highness's extraordinary powers of constitution, and tenacity of life, defied all calculation. The Princess Sophia, being unwell, could not come this day; the Dukes of Clarence and Sussex came at twelve, and staid until six, but did not see their brother.

Sir W. Knighton having come from Windsor, and been named to his Royal Highness, he desired to see him, that he might inquire after the King, and requested him to assure his Majesty of his affectionate duty.

Towards the evening his Royal Highness showed symptoms of returning strength, and the physicians reported to his Majesty, that he continued in the same state, without appearance of immediate dissolution, but without hope. Between ten and twelve he was very quiet, and inclined to sleep.

The assemblage of people in Arlington-street was the same as on the preceding day—there was the same propriety of conduct, the same manifestation of affectionate interest, free from curiosity. His Royal Highness passed a very restless night, with occasional attacks of faintness and spasm. His breathing had become more difficult, his pulse more feeble and irregular, but yet there were no symptoms

of rapidly approaching dissolution. Sir Astley Cooper had sat up with him to relieve Mr. Macgregor, and when the latter went to his Royal Highness, he desired him to thank him, and say that he was very kind.

Shortly after he saw some one near him, and Mr. Macgregor told him it was Mr. Simpson, and his Royal Highness said Mr. Simpson is a good man. He took some slight nourishment occasionally, and towards ten o'clock he had a serious attack of faintness, during which his pulse was hardly perceptible, but he rallied again. Sir William Knighton saw his Royal Highness, but he did not speak to him.

Between one and two, Mr. Macgregor came to tell me that his Royal Highness had named me frequently, and, at last, made them understand that he wished to see me. I immediately went to him. I found him dreadfully changed, very feeble, much oppressed, and evidently unable to distinguish objects clearly—Batchelor named me to him, and I sat down close by his right side. He looked at me with a kind smile, took me by the hand, and I told him I had not left the house since I had last seen him. He asked me with difficulty, and in a faint, though steady voice, whether Colonel Stephenson was in the house? I said he was, and asked whether he wished to see him; he nodded assent, and I immediately sent for him. Colonel Stephenson went to his left side; but, as his Royal Highness could not see him, I beckoned to him to come to the right side, and I moved back, so as to enable him to come close up, while I supported his Royal Highness, by placing my hand against the pillow, behind his back. He then gave his hand to Colonel Stephenson. After some interval, during which his Royal Highness breathed with great difficulty, and was very faint, and during which Batchelor bathed his temples with Cologne water, he collected his strength, and said, in a steady firm tone of voice, but so low as to be hardly audible to Colonel Stephenson, whose head was further removed than mine, "I am now dying." After this, he dropped his head, and his lips moved for about a minute, as if in prayer. He then looked at us again, and appeared to wish to speak, but an attack of faintness came on, and his respiration was so difficult, and he seemed so weak and exhausted, that I thought he was dying, and expressed that apprehension to Colonel Stephenson, who partook of it. Batchelor bathed his temples again, and he rallied, after which he again took Colonel Stephenson's hand, and nodded to Batchelor, who told us he meant we should leave him.

The scene was most affecting and trying, but yet in some

respects satisfactory, as it showed that he was perfectly aware of his situation, and we concluded that he had seen us together, as being his executors, and meant to take leave of us. I heard afterwards that he had appeared much exhausted by the effort, but subsequently took some chicken broth, and became composed, without having any return of faintness. Towards the evening, he rallied again, and had some sound and comfortable sleep, and his attendants separated under the impression that his Royal Highness's life would be prolonged at least another night.

In the course of the night he had so serious an attack of faintness, that Mr. Macgregor thought he would not have recovered from it; but he rallied again towards the morning of the 5th, and took some nourishment. The breathing had, however, become extremely difficult. About eleven, Mr. Simpson came to me to say that the symptoms of approaching death had come on, and that the medical attendants wished me to be in the room adjoining to that in which his Royal Highness lay. I brought in the Dukes of Clarence and Sussex, and Colonel Stephenson, and we continued in the room, expecting every moment to be called in by the medical attendants (who were all with his Royal Highness) to witness his death. Sir Henry Halford came to us occasionally, and stated that his Royal Highness's pulse was hardly perceptible; his extremities were cold; he was speechless, and had with difficulty swallowed a little milk and-rum, but nevertheless appeared to retain his senses. Of this, indeed, he gave proof at twelve, for Mr. Macgregor came in to say that his Royal Highness had insisted on having his legs dressed (which they naturally wished to avoid at such a period), for he had looked at him several times, had pointed at the clock, then at his legs, and had pushed off the covering, thus showing his determination to go through all that was required to the last moment. When he found that he was understood, and that Mr. Macgregor was preparing for the dressing, he signified his thanks to him with a kind smile, threw back his head, and hardly noticed any thing afterwards.

The pulse became more feeble, the attacks of faintness more frequent, but his Royal Highness struggled on, and between eight and nine this state appeared so likely to last for some hours, that the Duke of Clarence was persuaded to go home, and I returned to my room to answer some inquiries. At twenty minutes past nine, Colonel Stephenson called me out, and told me that he was in the last agonies. I hastened down, but my dear master had expired before I could reach his room, and I had the comfort of learning

that he had expired without any struggle or apparent pain. His countenance indeed confirmed this: it was as calm as possible, and quite free from any distortion; indeed it almost looked as if he had died with a smile upon it.

The medical attendants, the Duke of Sussex, Batchelor, and another servant, were in the room, looking at him in silence, and with countenances strongly expressive of their feelings.

Such was the end of this amiable, kind, and excellent man, after a long and painful struggle, borne with exemplary resolution and resignation; and I am confident, that the details into which I have entered, of the last circumstances of that struggle, will not prove uninteresting to those who were sincerely attached to him.

I feel that I owe it to his Royal Highness's character, to add some general observations, which may serve to place it in its true light, and to confirm the opinion of those who view his loss as a national calamity.

It may be necessary to premise, that from the moment that I received the alarming report from Brighton, I ceased to entertain any sanguine hopes of his Royal Highness's recovery, and that my expectations of it became gradually more faint, although they varied occasionally, as the symptoms of the disorder fluctuated.

This impression led to my keeping the minutes, from which I have extracted the foregoing statement, my object in so doing being that I might be better able, from such accurate source, to do justice to his Royal Highness's character and sentiments.

The 30th of December was the last day on which I submitted any papers, and he was then quite equal to any business; for although his state varied in the course of the day, yet, there were hours when physical causes, or the effect of medicine, did not interfere with the clear application of the powers of the mind.

It has been already shown by the details I have produced, that almost to the latest hour his Royal Highness was anxious to discharge his official duties, and the interest he took in them was at no time weakened by the pressure of bodily disease or pain. In further proof of this, I may state, that on Saturday, the 9th of December, I received from Lord Bathurst, at his office, secret instructions respecting the force to be prepared for Portugal, and that I communicated

them in the same evening to his Royal Highness. He was then in great pain, but he became indifferent to bodily sufferings; and *immediately* drew up the heads of the military arrangement (which paper, in his own writing, I now possess), from which were framed detailed instructions approved by him on the following day, and issued on Monday, the 11th of December.

This measure naturally produced the necessity of other arrangements connected with home service, and the Adjutant-General and Quarter-Master-General will bear me out in the assertion that these were entered into, and directed by him, with the same intelligence and attention which he had manifested on previous occasions, when we are bound to state that every arrangement was made by him, and that the execution of the details was alone left to us.

It may not be irrelevant here to observe, that this had at all times been the case; his Royal Highness had been at the head of the army more than thirty-two years; during that period various officers were successively employed by him in the situations of Military Secretary, and at the heads of departments at the Horse Guards; and they possessed his confidence, and exerted themselves zealously. But the merit of rescuing the army from its impaired condition—of improving, establishing, and maintaining its system—of introducing that administration of it, in principle and in every detail, which has raised the character of the British service, and promoted its efficiency, belongs exclusively to his late Royal Highness. The work was progressive; but his attention to it, and his able superintendence of it were constant. He guided and directed the labours of those subordinate to him; their task was executive. He gave an impulse to the whole machinery, and kept the wheels in motion, and to him, I repeat it, the credit was due.

An arrangement for the promotion of the old subalterns of the army had long been the object of his solicitude; but it was one of difficult accomplishment, as it was understood that no measure entailing extraordinary charge on the public would be admitted. Hence the delay in bringing it forward; but his Royal Highness entered into every detail of it on the 26th of December, and the King having paid him a visit on the 27th, he ordered me to submit it to his Majesty on that day, when it obtained the Royal signature; and the communication of his Majesty's gracious approbation of this arrangement was received by his Royal Highness with a warm expression of satisfaction.

Of the resolution and resignation with which his Royal

Highness submitted to protracted confinement and a painful disorder, my statement offers ample proof; but I have not stated, that during all this period, during this serious trial, his excellent temper and kind disposition to all who approached him continued unimpaired. I appeal to his medical attendants. I appeal to his servants—to those who transacted business with him, official or personal, whether at any time he betrayed a symptom of irritability, whether a sharp word escaped him, whether a murmur or complaint was uttered? Every attention, from whatever quarter, was kindly received, and gratefully acknowledged. Great anxiety was shown by him to avoid giving trouble; and, at the later periods of his illness, that which seemed to distress him most was his being reduced to the necessity of requesting others to do for him that which he had ceased to be able to do for himself.

Of the kind attention of his medical attendants, and their anxiety to afford to him the utmost benefit of their skill, he expressed himself most sensible. And it is due to them to say, that if he had been their nearest and dearest relative, they could not have devoted their time, care, and attention to him with more affectionate zeal than they did. Nor did he ever betray any want of confidence in their skill, or the less desire to resort to other advice.

I must add, that I can positively state, having been admitted freely to their consultations, that no difference of opinion prevailed among them; they acted together cordially, and their only object seemed to be the welfare of their illustrious patient.

During the progress of his illness his Royal Highness received the most endearing and affectionate attention from the King, and from his brothers and sisters; and they never failed to be acknowledged with satisfaction and with gratitude; the Princess Sophia especially, whose near residence admitted of more frequent intercourse, never missed coming to him in the course of the day, unless prevented by indisposition; and I have already stated that her Royal Highness, by his desire, took the Sacrament with him on the 28th December.

The visits of his Royal Highness's numerous and attached friends were frequent, and they were invariably received with satisfaction, and with an expression of his sense of their attention. Upon these occasions he exerted himself to meet them cheerfully, and to suppress the expression of pain or bodily uneasiness, and they often left him with the belief that he was free from both, although this had by no means been the case.

Nor did his Royal Highness's bodily suffering, or the contemplation of his critical state, diminish in any degree the interest which he had ever taken in the state of public affairs, and in the welfare and prosperity of his country. These were at all times uppermost in his mind, and I am convinced that they often engaged it in a much greater degree than did his own situation.

H. TAYLOR.

LONDON:

JAMES BULLOCK, PRINTER, LOMBARD-STREET, WHITEFRIARS.

THE
TRIAL
IN FULL OF **7**
EDW. GIBBON WAKEFIELD,
AND OTHERS,
FOR
THE ABDUCTION
OF
MISS TURNER,
AT
THE LANCASTER ASSIZES, MARCH 23, 1827.

BY AN EMINENT REPORTER,
ENGAGED EXPRESSLY FOR THE PURPOSE.

LONDON:
PRINTED FOR KNIGHT AND LACEY,
55, PATERNOSTER ROW.

1827.

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NORTHERN CIRCUIT.

LANCASTER, FRIDAY MORNING.

TRIAL

OF

EDW. GIBBON WAKEFIELD, WILLIAM WAKEFIELD,
AND MRS. FRANCES WAKEFIELD.

THE disappointment which had been experienced in consequence of the unexpected illness of Mr. Scarlett, by no means abated the ardour of curiosity by which all parts of Lancaster has been for some days actuated. According to the arrangements of the High Sheriff, assisted by the indefatigable efforts of Mr. Higgin, the governor of the Castle, seven o'clock was fixed for the hour at which all persons having tickets were to be admitted into Court; but long before that hour all Lancaster was in motion, and every avenue leading to the Castle was thronged. At a few minutes before seven o'clock the witnesses for the prosecution were admitted, and introduced into a part of the Court railed off specially for them. At seven o'clock the gentlemen connected with the various London and Provincial Journals were allowed to take their seats, in preference to all other persons. It is here but just that their thanks should be expressed for the complete accommodation they received from the kind exertions of Mr. Higgin. At twenty minutes to eight o'clock the doors of the Court were opened to spectators in general. The rush was immense, and in a few minutes every spot of the Court which could command a view of the proceedings was occupied with the greatest avidity. Among the spectators, the expectation of the numbers of the fair sex predominating was, however, disappointed. The interest each moment increased in intensity, and every eye was turned to the place where it was expected the defendants would be placed.

After the Court was occupied till nine o'clock in some other business, the defendants were severally called. Edward Gibbon Wakefield answered. Mrs. Frances Wakefield was not in attendance, but her husband was; and William Wakefield, who was in custody in the Castle for debt, having been arrested since his arrival in this town, was brought into Court by a Bench order. The defendants in attendance were seated near their Counsel.

Mr. Pattison opened the pleadings.

The following is the copy of the indictment:

"The Jurors of our Lord the King, upon their oaths present, that before, and at the time of the committing the offence in this indictment mentioned, Margaret Daulby, Phoebe Daulby, Elizabeth Daulby, Anne Daulby, and Catherine Daulby, by consent of William Turner, Esq., the father of Ellen Turner, a maid, and unmarried, had her order, keeping, education, and government; and the Jurors further present, that on the 7th day of March, 1826, at Manchester, Edward Gibbon Wakefield, late of Manchester, Gentleman, a person above the age of fourteen years; William Wakefield, of the same place, Gentleman, a person above the same age; Edward Thevenot, late of the same place, labourer, a person above the age of fourteen years; and Frances, the wife of Edward Wakefield, being a person above the age of fourteen years, not having any right or authority whatever, did take away and convey the said Ellen Turner out of the possession, and against the will of the said Misses Daulby, unlawfully, wickedly, and injuriously; and for the sake of lucre and gain, did conspire, combine, confederate, and agree together, with divers other persons whose names are unknown, by divers subtle stratagems and contrivances, and by false representations, unlawfully to take and carry, and to cause and procure to be taken and conveyed, the said Ellen Turner, then and there being a maid, unmarried, and within the age of sixteen years, to wit, of the age of fifteen years, from the possession of, and against the will of the said Misses Daulby, who had then the order, keeping, education, and governance of the said Ellen Turner, and unlawfully to cause the said Ellen Turner to contract matrimony with the said Edward Gibbon Wakefield, unknowing of and to the said William Turner, the father of the said Ellen Turner, and in life, to the great disparagement of the said Ellen Turner, to the utter heaviness and discomfort of the said William Turner, and against the peace of our Lord the King, his crown and dignity."

The prisoners stood charged with the same offence in several other counts, only varying the form of allegation.

Mr. Serjeant Cross then stated the case to the Jury as follows:—"My Lord, and Gentlemen of the Jury—his Majesty having been lately pleased to call my Learned Friend (the late Attorney-General) to a high judicial situation, the duty has devolved upon me, unfortunately I fear, to conduct this singular cause. Whatever may be the effect of this change of appointment upon these

proceedings, I am bound to congratulate the late Attorney-General upon his elevation, where a larger sphere is allotted to the development of his great talents, for the benefit of the community at large. He was a man of too high a character to owe promotion to subserviency, in furtherance of the interests of any political party—of too much manly independence of mind to bend himself to mere party purposes, and I am, therefore, gratified at the recent promotion which he has so deservedly obtained. Now for the circumstances of the present case. By the Statute Law of England, to carry away any female, under the age of sixteen years, with or without her consent, and afterwards to marry her unknown to her legal guardians, is a high misdemeanor, subjecting the man so acting to five years' imprisonment, and fines; and the young lady to a forfeiture of her inheritance, so long as her husband lived with her. By another Statute, it was a capital felony; and if this act had been committed on English ground, two of these defendants would have been tried and condemned to an ignominious death, and probably executed upon the walls of this very Castle twelve months ago. You are, Gentlemen, aware, that though England and Scotland form one Government, yet that each country is for all purposes of municipal law separate and distinct, so that if (as in this case) the crime was begun in this country, and continued and finished in Scotland, the law in its original state would not reach these delinquents. They were not, therefore, brought here this day for trial upon these Statutes, but on a charge of conspiracy to violate them, and that particular crime was complete, even though the offence was stripped of its consummation in England. First, they were charged with carrying away a female under sixteen years of age from the custody of her parent and instructress; and, secondly, with a conspiracy to take her away without her consent, and afterwards to marry her to one of these defendants. Having thus generally stated the outline of the charge, I will apprise you of the parties who have this day to prosecute it. Mr. Turner, the father of the young lady, whose treatment is the subject of your inquiry, is a Gentleman, who has acquired, by commercial pursuits, a very considerable property. He resides on his estate in Cheshire, where he last year filled the important office of High Sheriff. His daughter is an only child, and she had, at the time of this occurrence, passed her fifteenth year of age. She has much grown since that period, as most children did during their sixteenth year, which in general, advanced them far in maturity. The first of these defendants was a lady now of the name of Wakefield, and through her, the whole contrivance of the abduction appeared to have been carried on. She went to Paris, last year, during the Christmas vacation, from her father's, Doctor Davis's house, in Macclesfield, and was then known, and continued to be so till this whole business was blown up, and then it appeared Miss Davis had been previously married to the elder Wakefield. In Paris it was understood she met the two Wakefields—Edward

and William. The latter, though an Englishman by birth, was an inhabitant of Paris, which city he made his domicile and residence. The elder of the two brothers (Edward) was a widower, and had children of his own, but William had been married in Paris since this occurrence. In that city they had formed a society, which they were pleased to call the first in Europe. It was a little coterie of ladies and gentlemen that had received this designation. Among them was a lady of the name of Bathurst, who called herself the step-daughter of the venerable Bishop of Norwich. She, though not to appearance engaged in any of the criminal parts of this enterprise, had made herself very busy about it, both before and after its public explosion, and had remarked, in communicating with one of the defendants upon the business—"Little did I think, when I desired Miss Davis to get Miss Turner for you, that one of you had already carried her off, won, and wedded her also." In Paris, it clearly appeared that this conspiracy had been hatched, and there it was that Miss Davis begun those operations which were afterwards matured and executed in this country. The moment she returned from Paris, she commenced her plans at Shrigley, which was Mr. Turner's place of residence. She then entreated a lady of the neighbourhood, with whom she was acquainted, to introduce her to Mrs. Turner, which was accordingly soon after done; and, at her first visit, she expressed her regret that Miss Turner had returned to school, and hoped she would soon have the pleasure of making her acquaintance. About the 1st of March, the Wakefields, who were Miss Davis's travelling friends, arrived at Dr. Davis's house, in Macclesfield. Was it likely that they had quitted the gay circle of Paris to travel four hundred miles to see Macclesfield? No, no, they came to execute their scheme, to acquire the necessary information about the family of Mr. Turner, for which purpose they rode about the grounds at Shrigley, and Miss Davis will be proved to have made, as if by accident, but as it had since clearly appeared by design, a number of pertinent inquiries about Mr. Turner, from Mr. Grimsditch, who was his solicitor, and the respectable gentleman who had the chief part in arranging this important prosecution. From Mr. Grimsditch, she learned that he and Mr. Turner were to set out in a day or two to London, and in answer to her inquiries respecting Mrs. Turner's health, Mr. Grimsditch informed her, that though her physicians ascribed her illness to a determination of blood to the head, yet, in his own opinion, he believed her to be affected by paralysis. This was very material, as would afterwards appear in evidence. In this way the parties went on from day to day, obtaining all the information which was requisite for the accomplishment of their purpose; and on the Monday, when it was ascertained that Mr. Turner had left for London, means were promptly taken to obtain a supply of cash for commencing actual operations in the execution of the criminal enterprise. It will be found, that on the Sunday, Miss Davis applied to a banker in Macclesfield for a loan of £150

upon a very pressing exigency, which rendered the application on the Sabbath imperative. She said it was to relieve a cousin, who had unfortunately been arrested; and she was anxious that his imprisonment should be as short as possible. The money was instantly given upon this entreaty, and in the presence of one of the defendants, and this £150 was the identical money expended in this wicked purpose. So urgent were the parties to watch the Turner family, that it would appear that though they left Macclesfield on the Sunday evening for Manchester, they had sent back a French servant, Thevenot (who was not now on his trial, though included in one of the indictments), to Miss Davis, for further information. They arrived at the Albion Hotel, in Manchester, very early on the Monday morning, and one of the defendants was there introduced in the name of Captain Wilson. After breakfasting they went to a coachmaker's, where they purchased, for £40, an old carriage, with a barouche box in front. In this they all set out from Manchester, at two o'clock, on Tuesday morning, having, however, on the preceding evening despatched the servant, Thevenot, once more by post, at considerable expense, for fresh instructions from Miss Davis. At last when, by his return, they had received actual intelligence of Mr. Turner having gone to London, a letter was concocted to be sent forward to the school at Liverpool, where Miss Turner was, announcing the illness of her mother. This letter purported to come from an attending physician, but was an entire fabrication to further the wicked purpose of the conspirators. The letter was as follows:—

COPY OF THE FORGED LETTER.

"Shrigley, Monday night, half-past Twelve, March 6th.

"Madam,

"I write to you by the desire of Mrs. Turner, of Shrigley, who has been seized with a sudden and dangerous attack of paralysis. Mr. Turner is unfortunately from home, but has been sent for, and Mrs. Turner wishes to see her daughter immediately.

"A steady servant will take this letter and my carriage to you, to fetch Miss Turner; and I beg that no time may be lost in her departure; as, though I do not think Mrs. Turner is in immediate danger, it is probable she may very soon become incapable of recognizing any one. Mrs. Turner particularly wishes that her daughter should not be informed of the extent of her danger, as, without this precaution, Miss Turner might be very anxious on the journey; and this house is so crowded, and in such confusion and alarm, that Mrs. Turner does not wish any one to accompany her daughter. The servant is instructed not to let the boys drive too fast, as Miss Turner is rather fearful in a carriage.

I am, Madam, your obedient servant,

"JNO. AINSWORTH, M.D.

"The best thing to be said to Miss Turner is, that Mrs. Turner wishes to have her home rather sooner, for the approaching removal to the new house; and his servant is instructed to give no other reason, in case Miss Turner should ask him any questions. Mrs. Turner is very anxious that her daughter should not be frightened, and

trusts to your judgment to prevent it. She also desires me to add, that her sister, or niece, or myself, should she continue unable, will not fail to write to you by post.

"Mrs. Dolby."

The whole of this was, I again tell you, an infamous fabrication—there was no such physician, no such sudden illness, no such message, but just as much of truth in the complection of the story as gave to it a turn of probability: About two o'clock on the Tuesday morning, the two Wakefields and the Frenchman set out from Manchester in the newly-purchased carriage. William was left behind, at Warrington, which is half way; the other brother and the servant drove on towards the school, at Liverpool. Edward Wakefield, however, came out before they reached the school, leaving the man to drive up to the door sitting on the coach-box. The servant instantly obtained admission to deliver the fabricated letter, which, at the time, and under the circumstances, was calculated to impose on the ladies at the school. Thevenot described himself to have been lately hired by Mr. Turner, as his own servant, for the new house into which that gentleman was, at that time, about to remove. This was to account why the young lady could not know his person, as he was a new comer into the family; and to explain away the appearance of the carriage, he said it belonged to Dr. Ainsworth, and he was, upon his return, to take up Dr. Hull in it at Manchester. There being no doubt of the truth and veracity of the man's statement, the lady at the school immediately prepared Miss Turner for the journey. There was not the slightest reason for their knowing any thing of this base project, which has since been to them a source of the greatest grief, and now, perhaps, when the whole business had been developed, their want of any suspicion of stratagem could be accounted for in the lines of the poet:—

"For oft where wisdom wakes,
Suspicion sleeps at Wisdom's gate;
And to simplicity resigns her charge—
Thinking no wrong, where no wrong seems."

Miss Turner accordingly set out in the carriage, the Frenchman sitting on the box; but Edward Wakefield, probably through some blunder, missed them in the neighbourhood; they drove to Warrington, where William Wakefield was waiting the result of the enterprise, and when he saw that the prize was carried off, he was, under such circumstances, extremely anxious to know what had become of his brother, and he set out after him towards Liverpool. They met on the road, but before he left Warrington he wrote a letter for his brother, in the event of his arrival at the inn before they met on the road. This letter never reached the person to whom it was addressed, and was as follows:

"Go immediately to where we dined yesterday, on cod and mutton chops.—*Elle doit y attendre son pere; elle est partie d'ici a onze heures.*—Write to Mr. Wilson at the same place from wherever you succeed.

"Captain Wilson."

On the road to Liverpool the brothers met, and hastened away to Manchester, where the Frenchman had previously arrived with the young lady. Edward introduced himself to her at the hotel, and said that he expected her father, who was his particular friend, to have been there before him. She expressed great anxiety to see her father, and also to visit her uncle, who lived near Manchester. "You will miss your father, if you do," was the reply. "for he will be here directly." It would not have done to have permitted her at such a moment to have visited her uncle, and therefore great dexterity was practised by the servant and one of the Wakefields. On being shown into the parlour of the inn, the Frenchman told the waiters that he would attend upon the young lady. It was here that Edward Wakefield introduced himself to her. He was a young man of gay and somewhat fashionable air, and a complete master of all the arts of dissimulation, which he instantly practised with consummate address. Miss Turner had at that time heard of the commercial distress which had suddenly broke upon the country, and had just recollected hearing her father talk of the sudden reverses which some of his neighbours had endured, and remarked a few days before, at the school, when he happened not to have in his pocket at the moment within a few pounds of the amount of her school-bill, that such a young lady (naming one) had been lately taken home, her family being unable to maintain her education at that establishment; and he added (not speaking seriously at the time), "and so may I be obliged to take you home, if I cannot pay up your bill." Miss Turner, who was of a confiding and generous disposition, had this remark fresh on her memory, and never doubting its sincerity, was prepared, in some degree, for the statement which Edward Wakefield made to her on this occasion; for he told her, in the Albion Hotel, that her mother's illness was not the cause of her being abruptly removed from school, but her father's sudden embarrassment, owing to the failure of the Macclesfield and Blackburn Banks (where she knew he kept money). Struck at the instant with her father's remark about reverses of fortune, and his being unable to pay the balance of the bill, she believed the story which was thus told her, and consented at once to go into Yorkshire to meet him, as some excuse was framed for his not coming on to Manchester, where he had promised to join them. In this manner was this young lady purloined from her school by a fraudulent pretence, and without her consent—for to what had consent been obtained?—not to travel with these persons through the country, but to go and see her sick mother. She was, however, in the expectation of seeing her father, carried into Yorkshire from Manchester, but in the course of the night brought by a circuitous route to Kendal, and then to Carlisle, where they assured her her father would be in waiting to receive her. This young lady was thus hurried from place to place for twenty-four hours; and while she was quite overpowered by the fatigue of this journey, she was for the first time informed at Carlisle, by Edward Wake-

field, that it was intended she should marry him to save her father from ruin. That a rich uncle of his (the defendant), a banker, had advanced her father, at his (Wakefield's desire, £60,000, which, by the failure of his own banker, he was now unable to repay, and that thus, while, on the brink of irretrievable ruin, an expedient had been suggested by his friend and solicitor, Mr. Grimsditch, which might yet save the family. "That expedient," said Wakefield, "is for you to marry me, when my rich uncle will make a handsome settlement upon us, and spare your father, who will then be able to save his family from being turned out of doors penniless." Perfectly astounded at this proposal, the young lady said, "I must first see my papa." "Well, so you shall," was the answer; "we are to find him here at Carlisle, where he is not far off." They drove up to the door of the inn, with four horses, and, as was natural, this cavalcade attracted a crowd of idle gazers to the spot; the two defendants stepped into the inn, leaving the lady in the carriage, and preventing the landlady from paying her the usual attention, by saying that she did not mean to alight. On coming out from the inn they re-entered the carriage, and told her that her father was then with Mr. Grimsditch (both of whom were actually at the instant in London), in an inner room, but could not stir out, as the people outside were bailiffs in waiting to arrest him; and that he had intreated her to hasten off to the Scottish border to be married, and return quickly with the certificate of that ceremony, which would at once release him from his duress, and from all further uneasiness and inconvenience. Can any man hear these circumstances, and doubt that a gross delusion was practised on this young lady? And one of the Wakefields at the same time pretended to read a letter, in which a desire was expressed by her friends that she would show the same fortitude on this trying occasion, that was evinced by her excellent parents. In this manner, by fraud, and terror for the impending fate of her family, she was carried into Scotland, where, in the hope of saving from ruin those who were most dear to her, she was persuaded to give her hand to one of these defendants, in the presence of a drunken blacksmith, a landlord, and this French servant. This ceremony performed, she expected to be permitted to throw herself into the arms of her father, at Carlisle, and to congratulate him upon a delivery from embarrassment by her means. However, when they returned to Carlisle, these persons contrived to persuade her that her father, upon hearing of the marriage from the postilions—who had hastened back the moment it was over—had left word that he had set out for Shrigley, or London, to put the conclusion to the favourable adjustment of his affairs, and that he wished her to follow him. Under the belief that this story was true, she travelled south again with these defendants, and they slept on that night in three separate beds, at Penrith. But no misfortune happened to this lady there, for if any violence had been attempted in England, the parties would have been within the reach of the law, and liable to punishment

for the capital offence. They proceeded afterwards on their route to London, and arrived at the Brunswick Hotel, in the neighbourhood of Hanover-square. The history of this journey was exactly this. They took Miss Turner from school, at Liverpool, on Tuesday, on Wednesday they hurried her into Scotland; they rested on that night at Penrith, and travelling then all Thursday night, they arrived late on Friday night in London. William Wakefield had turned off from them to join Miss Davis, at Macclesfield, on their way, and Edward was met, on his arrival at the hotel, in London, by a friend, who gave him a message, which, no doubt was, that he must hurry out of the kingdom, to evade the grasp of justice. Upon this intimation, he told Miss Turner that his friend had just stated, that her father was gone on to Calais, where they must follow him. Thither they hastened accordingly, and reached the French coast on Saturday morning, having made this young lady travel a journey of six hundred miles in the deepest affliction about her father, and harassed in every respect about the situation of her family, through the machinations of those who had deluded her. Before I state what occurred at Calais, I wish to return for a moment to Macclesfield, where William Wakefield had been despatched to watch the movements of Mr. Turner's family, at Shrigley. The whole scheme was one of fraud; there was no love for this young lady, the sole object being to get the money of the father, by putting the daughter's hand to pick his pocket. William Wakefield, upon his arrival at Macclesfield, must have stated all that had occurred, for she wrote a letter on the Sunday following, which did not reach its intended destination, but had fortunately fallen into other hands. Though this young lady was carried from school on Tuesday, she was never missed at home till the Sunday following, when, in consequence of a letter the governess was sent for to Liverpool from Shrigley. Some notice had been publicly taken of the business, by the insertion of the marriage, in the usual way, in some of the London Papers. On Sunday, and not till then, was Miss Daulby apprised of the fraud and forgery by which this young lady had been stolen from her protection, and she instantly repaired to Shrigley, to the afflicted family of Mr. Turner. On this very Sunday Miss Davis appeared to have been very busily employed, for she wrote thus to one of the defendants:—"My dear William—Mr. Turner did not come down the night you left. My father saw Mr. Critchley yesterday, who seems very friendly disposed, but she did not know what her mother would think of the affair: perhaps you ought to write to her, touching the tender cause. Miss Daulby has not yet written to Shrigley," meaning, of course (said Mr. Serjeant Cross), any account of the abduction. This fatal intelligence no sooner became known to Mr. Turner, who had left London on the same Friday evening that his daughter had been inveigled into it, and who probably passed her on the first or second stage from the Metropolis, than he started off to London again in search of her, with some friends. He was himself unable to travel farther than London, but his brother and Mr. Grimsditch

proceeded on to Calais, where, upon meeting Miss Turner with Edward Wakefield, walking on the pier, they took the necessary steps to recover her for the family. Upon this, Mr. Wakefield began to insist upon his superior right to her person—the husband having a greater control than the father. She was his wife, he said, and he had a right to detain her. As soon, however, as the veil was removed from the young lady's eyes, she became instantly struck with horror and detestation at the wicked object of this person. She threw herself into her uncle's arms, and when Edward Wakefield said she was his own wife, she turned away with horror from him. All the parties then went before a Magistrate at Calais, who, upon hearing the young lady's statement, restored her to her relatives at once; being of opinion, that a detention, acquired by fraud and forgery, could constitute no property for any man; indeed any other notion would have been horrible, and the young lady immediately returned to England with her uncle. After she left France, Edward Wakefield wrote a letter in confidence to his brother William, which must be taken, if there were any truth in him, to be the real effusion of his own feelings. This letter, by a piece of good fortune, did not reach William's hands, but is now in mine, and is as follows:—

LETTER FROM E. G. WAKEFIELD TO HIS BROTHER WILLIAM.

"Calais, Thursday.

"My dear William,

"I write in haste to save the post, only to give you news, and nothing else. Mr. Robert Turner, Mr. Critchley, and Grimsditch, arrived by the packet to-day, with warrants, &c. &c. &c. I soon knew what they were come for; but would not attempt to avoid the question. Shortly I saw them, and found, that with Ellen's consent, they could take her away. They insisted on seeing her. I could not object. She told *all*, and was anxious to leave me when she knew all. I expected as much, and therefore made a merit of necessity, and let her go; they tried to take me, but for that they were on the wrong side of the water, as I well knew; however, I offered to go with them, but begged Mr. Critchley to believe that I would be in England, to answer any charge, as soon as I had seen my children and settled my affairs. Nothing could be more hostile than the whole spirit of their proceedings. I could readily have escaped with Ellen, but their account of Mrs. and Mr. Turner's state made such a step impossible; I made, and gave in writing, a solemn declaration, that she and I have been as brother and sister. How this may effect the validity of the marriage I know not, nor could I raise the question. I was bound, and it was wise, to give some comfort to Mr. Turner. I am now in a stew about you, and wish that you were safe. There can be no doubt that the law can punish us. For myself, I will meet it, come what may; but, if you are able, get away as soon as possible. I do not care a straw for myself; the grand question now is, is the marriage legal? They all said no, and quoted *William and Mary* upon me till I was tired of their Majesties' names [a laugh]. Pray let me know that, but I shall write to *nunkey*: do not stay, you can do no good; I shall go to England as soon as possible; upon this you may depend; I shall not write again till I hear from you, for fear of accidents.

Percy came with the trio, and has witnessed the row; we start early in the morning. Pray write, but say nothing to anybody; I am the person to speak.

"William Wakefield, Esq."

"Your's ever, E. G. W."

The following is the note left by William Wakefield for his brother, at Warrington:—

"Go immediately to where we dined yesterday, on cod and nut-ton-chops. *Elle doit y attendre son pere: elle est partie d'ici a onze heures.*—Write to Mr. Wilson at the same place from wherever you succeed.

"Captain Wilson."

What he seems to rely on in this letter is, that the consummation of this atrocious crime was necessary to the legal establishment of his guilt, but that, as it was, he had acquired a property in his wife; and I am told that a gentleman of the law has come here this day to give you evidence of the custom of Scotland on this subject. And he is, as I am informed, to tell you, that by the custom of Scotland, if a man can steal away an infant from her legal guardians, by fraud and forgery, and by the same means get her hand in a pretended marriage contract, the act is to be valid for the benefit of the robber who has purloined her. This, you are to be told, is a real valid marriage, according to the law of Scotland; and you are to hear it from one gentleman who has been caught in all Scotland to affirm the proposition. But if any such gentleman, bearing the name of a lawyer, shall this day venture to appear here for such a purpose, I think and trust he will never hear the last of it as long as he lives in this world; and more particularly if it shall appear that he has come here voluntarily, and of his own accord, to enlighten us with this opinion. Forsooth, they are to be gravely told, that an act which is (or rather was) a capital felony if committed on English ground, is to be legal or meritorious if done on the other side of the Tweed, and the thief rewarded with the booty, to the eternal misery of the unfortunate victim, and the successful enterprize of her perfidious deceiver. This is to be the defence, I understand—that this lady is not a competent witness. This, if true, would make law worse and more odious, than was the practice of that tyrant of antiquity who fastened his living victims to dead carcases. I will not believe that my Learned Friend, Mr. Scarlett, will be guilty of so gross an outrage upon law and common sense, and every principle of justice, as to offer such a defence; and I only allude to it, because such a plan has been bruited about in this court. If this is the nature of the defence, I hope you will mark it as it deserves by your verdict.

The first witness was William Turner, Esq.: His daughter's name was, he said, Ellen, and she was an only child; on the 12th of February, 1826, she was 15 years of age; her mother was now living, but unable through illness to attend this trial; he had considerable landed and personal property in Cheshire, where he was sheriff last year; his daughter was at Miss Daulby's school, in Liverpool, for five or six years.

Miss Elizabeth Daulby had the charge of Miss Turner, who was taken from her school upon the letter now put into her hands (the witness corroborated the Counsel's statement as to Miss Turner's leaving her school).

Cross-examined by Mr. Scarlett: Miss Turner is of good talents, and of an excellent disposition; of a confiding and ingenuous cast of mind.

Mrs. Anne Brockleheart introduced Miss Davis into Mr. Turner's family at her earnest desire.

Mr. Grimsditch had told Miss Davis that Mrs. Turner's complaint was paralysis.

Mr. Bagshaw, a banker at Wakefield, said, on Tuesday, the 5th of March, 1826, Miss Davis sent to him to borrow £150; when he called upon her to pay her the amount, Mr. Edward Gibbon Wakefield and Edward William Wakefield came into the room; Miss Davies said she had advanced some money to the Wakefields, because they had some French bills, which they could not exchange in this country; Miss Davis said she had not informed her father of the money transactions, but, upon witness's recommendation, she promised to do so.

Mr. William Carr, a coachmaker, at Manchester, proved that, on the 6th of March, Mr. Edward Gibbon Wakefield purchased a second-hand carriage for £40, and he particularly desired that it might be sent to the Albion that night, or it would be of no use. He gave his name as Captain Wilson.

James Holdgrave, a waiter at the Albion, proved that the Messrs. Wakefield lodged at the Albion at the time the carriage was brought home by the last witness; Mr. Edward Gibbon Wakefield passed by the name of Captain Wilson; Thevenot was their servant, and on the 6th of March he went by himself to Macclesfield; on the following day the carriage drove up to the door of the Albion; a young lady was inside, and Thevenot was outside; she was shown into a room; after this Thevenot said he would wait on her, and I allowed him. About an hour after I saw the two gentlemen come in a chaise and four horses; they got out, and Mr. Edward Gibbon Wakefield was shown to the lady; orders were given about five minutes after they arrived for horses to Delph; they were ordered to be put to the green carriage; the bell rang, and I went to the room where the young lady was; Miss Turner and Mr. Edward Gibbon Wakefield then got into the carriage. Mr. William Wakefield sat on the box. Two of the blinds were then up. I attempted to take them down; Mr. Edward Gibbon Wakefield prevented me, saying he would take them down himself. The servant went on the box, and they drove off on the Delph road.

Cross-examined by Mr. Searlett: Tarts and a custard were carried to the room while she was there; she sat near the window; he was standing near her; I was asked by him for a glass of Madeira, but don't know whether she took it; I took no particular notice of her; she remained rather more than ten minutes;

he asked, if he came back in six weeks, could he have a bedroom and sitting-room adjoining, I answered "Yes."

Other witnesses proved that the Mr. Wakefields travelled in the carriage from Manchester to Preston, and to Miss Daulby's. There a young lady got into the carriage, and it was ordered to drive for Preston.

Mrs. Holmes, of the Bush, Carlisle, deposed that the lady was very dispirited!

A waiter at Penrith proved that she seemed perfectly composed. They had three separate beds.

R. Jolly proved that, at the Brunswick Hotel, Miss Turner was much distressed.

Mr. Grimsditch :— I saw Mr. Wakefield at Calais, and told him I had Mr. Canning's warrant, and the strongest measures would be resorted to. Miss Turner was a mere child, and he deserved to be shot. Mr. Turner was broken-hearted, and Mrs. Turner could not survive the shock. He asked if the marriage was legal ; I said certainly not. The statute of Philip and Mary annuls the marriage, visiting him with severe punishment. He spoke of Miss Turner as his wife, and refused to let me see her ; he added, the impressions I have made are nothing to her unbounded affection for her parents ; I dare say she will fly to you from me ; he requested to be present at my interview ; I refused, but agreed to his seeing her afterwards ; he said, "she is the same Miss Turner as when I took her from the school ;" I then saw Miss Turner, who related to me all the falsehoods he had told her ; I accused Mr. Wakefield of his perfidy, and told him I would deliver him to a Bow-street officer ; he said I was on the wrong side of the water ; he claimed her as his wife ; she said I will never go near you again, as you have deceived me." He said, "I have treated you like a gentleman." She replied, "Yes, but you have deceived me." He was anxious upon the validity of the marriage ; I assured him it was illegal.

When Miss Turner was called into the box, Mr. Scarlett took an objection to the young lady's testimony, upon the ground that she was legally married, and therefore an incompetent witness against her husband. The Learned Gentleman contended, in no case could the wife's testimony be received, except where force and violence had been used by the husband ; and that no evidence to that effect had been given in this instance.

Mr. Serjeant Cross and Mr. Brougham contended, that the marriage was clearly illegal, and that even if there was a doubt on that point, it would depend upon Miss Turner's evidence, whether that doubt could be removed.

The Judge decided upon taking the evidence. The question as to the legality of the marriage could not affect the verdict in this case, although it might at a future period affect the punishment.

Miss Turner was then put into the box. She is an uncommonly fine young woman. She appeared to labour under considerable apprehension at first, but she recovered her self-pos-

session, and gave her evidence in a mild, but firm and collected manner, and with the greatest clearness. Mr. Wakefield sat directly opposite to her, but she kept her eyes fixed upon the jury box, and scarcely moved them during the whole of her examination.

She was examined by Mr. Serjeant Cross, upon the usual oath.—I am the daughter of Mr. Turner, of Shrigley; I went to school with my father, in a carriage, on the 7th of March last year. I went to Miss Elizabeth Daulby, at Liverpool. Miss Daulby told me that she had got a letter, stating that I was to go to Manchester, to meet my papa, and from thence home to Shrigley. I knew a Miss Greenway, who, I believe, left the school on account of her father's difficulties. When I went into a house, a person came in, whom I afterwards found to be E. G. Wakefield. I had never seen him before. I rose to leave the room, and he requested that I would not go. He said that he was commissioned by my papa to take me to him, and I might be sure it was no slight circumstance that prevented my papa from coming himself. He added, that it was the state of papa's affairs that induced him to send for me, and that he would afterwards explain in what state my papa's affairs were. I remarked, that I understood it was on account of my mamma's illness that I was sent for. He said the facts stated in the letter to the Miss Daulby's were not true, and that it had been written because it was not wished the Miss Daulby's should know why I was sent for. I don't distinctly recollect what he said as to where my papa was at that time. He told a servant, I believe the same that attended me from Liverpool, to tell the other gentleman to come in, and a gentleman did come in. I don't remember any thing particular that was said. He did not introduce him, but spoke of him as his younger brother. That person turned out to be Mr. W. Wakefield. I had never seen him before. I went into a carriage, as I imagined I was going to meet my papa. I was taken as far as Halifax, both the Wakefields and the manservant accompanying me. When we got there, Mr. Edward Gibbon Wakefield said, that if we did not find any letters, or meet my papa, at Halifax, we must go on to Kendal, and we should be sure to find him there. Went to Kendal. I had no other object in going but to find my papa. We stopped a little at Kendal, and went on to Carlisle. At Kendal, Mr. Wakefield read a letter at the window, and his brother looked over it, but I did not see it. He said my papa was not there, but was gone forward. I don't know whether this was before or after he had read the letter. We proceeded forward, and Mr. Wakefield said he had received a letter from my papa, commissioning him to inform me of the state of my papa's affairs. He said that a bank had failed at Macclesfield—it was that of Messrs. Rile and Deantry; and that my papa had been almost ruined, but that an uncle of his, who was a banker at Kendal, had lent my papa £60,000, and that had relieved him for the present, but that afterwards the Blackburn Bank had failed, and that then his

affairs were in a worse condition than before ; and that then his uncle had demanded, as security for his money, the estate of Shrigley, and then my papa might be turned out of doors any day. He said it had been suggested, by Mr. Grimsditch I believe, that he (Mr. Wakefield) should be my husband. That then it would be in my power to turn my papa out of doors if I liked, but of course I would not think of doing it. I made no reply at that time. This was on the road to Carlisle. He frequently said he was desirous of knowing what conclusion I had come to. He said I was to see my papa, and I said I would give my answer to him. Mr. Wakefield said my papa was attempting to cross the Border as the Sheriff's officers were in pursuit of him. At Carlisle, both the Mr. Wakefields left the carriage, and were away, I think, not an hour. I had been travelling from the time I left school until we got to Carlisle. Just as we were leaving Carlisle, Mr. W. Wakefield said he had something important to communicate to his brother. I then expected to see my papa across the Border. Wm. Wakefield said he had seen my papa in Carlisle, and that Mr. Grimsditch was with him. That he was then concealed in a small room at the back of the house, and that he had made two attempts that day to cross into Scotland, but could not. He said the persons I had seen round the door were Sheriff's officers, in search of my papa, that Mr. Grimsditch had entreated Mr. W. Wakefield would not stay in the room, or they should be discovered, and that he had taken him by the shoulders and turned him out of the room : at last he said, my father requested, that if ever I loved him, I would not hesitate to accept Mr. Wakefield as a husband. I consented from a fear that if I did not, my papa would be ruined, as I believed all they had told me on that subject. We shortly after arrived in Scotland. I repeated my consent before some persons there.

Cross-examined by Mr. Scarlett.—We went through a form of marriage in Scotland. I had a ring ; it was rather large, and I bought another at Calais. I believed myself his lawful wife, until I was otherwise informed at Calais. I wrote a letter to my mother, and used the name of Wakefield. When I saw my uncle at Calais he said the marriage was void.

Re-examined.—Mr. E. G. Wakefield dictated the letter.

Henry Critchley, the brother-in-law of Mr. Turner, went to Calais to recover his niece. Had some conversation with Mr. E. G. Wakefield at Calais. I asked him how he could commit so flagrant and cruel an act as to carry away a mere child whom he had never seen ? He admitted that he had never seen her until he got to Manchester, and that he had spent some time at Dr. Davis's, where she had been the topic of conversation. She was described as a very fine girl, and the largest fortune in the county, and he said he had determined to possess himself of her.

Cross-examined.—Witness told her that the marriage was void, and she said, " Thank God for it, I am glad of it."

The following letters were then read:—

MISS DAVIS TO WILLIAM WAKEFIELD.

"Sunday Morning."

"Dear William,

"Mr. Turner did not come down the night you left; it was a mistake. My father saw Mrs. Critchley yesterday, who seems very kindly disposed; but she did not know what her brother's feelings would be. Perhaps Edward or *Madame* ought to write to her, touching *tender chords*. The old uncles have been written to by her wish. Miss Daulby has not written to Shrigley, but Miss Turner (the niece) wrote to her yesterday. This is all Mrs. Critchley's information to my father.

"Ever, always yours, I. D.

"You must not let a foolish account of the affair get into the paper; it would much annoy Turner, I am sure."

MISS DAVIS TO R. RANDALL.—(*No date.*)

"Dear Sir,

"I am greatly obliged by your kindness in sending the paper. I will thank you to send me a line, directed P. O., Buxton, to-morrow, where I shall be. I wish to know whether *William is in England*. I heard yesterday there would be a warrant for him, and also a hint that a search would be made in Pall-Mall for papers, &c. I knew it would have been awkward to you to have any which were committed to your care brought forward, as it might implicate you. If you received a communication which might surprise you, you will now know the reason.—I feel many obligations to you; and am, dear Sir, most faithfully,

"I. D.

"Mr. Randall, 34, Pall-Mall.—Private."

MISS DAVIS TO R. RANDALL.

"Post Mark, Congleton (London Delivery Mark, March 21.)"

"Mr. Randall, in whom it is well known confidence can be placed, is requested to take care that the inclosed is safely delivered as soon as possible. A newspaper is also sent for Mr. W. Wakefield. If there could be any means of preventing the paragraph in the *Courier* inserted, and also one which may have appeared in the *Macclesfield Herald*, from finding their way to the public London papers. The paragraph in the *Courier* is, in fact, the only objectionable one. Mr. Wakefield himself would object to any interference with papers, and therefore it is left to Mr. Randall's discretion.

"The letter to M^{lle}. Blanc, under Lord B.'s cover, to be forwarded as soon as possible.

"Mr. Randall, 34, Pall-Mall, London.—Immediate."

Here the case for the prosecution closed.

Mr. Scarlett, for the defendants, said, he should trouble the Jury with a very few observations. This case had, he believed, excited great expectation in the public mind, but that expectation, as far as his case was concerned, would, he feared, be disappointed. His Learned Friend (Mr. Serjeant Cross) had, in the outset of his ease, pronounced a splendid panegyric upon a Learned Friend of his (Sir J. S. Copley), who had recently been elevated to the dignity of a Judge. He agreed with the Learned Serjeant as to the great talents of the Right Honour-

able Gentleman to whom he alluded, and he felt quite sure that the country would be benefited by his services; but he could not admit that he (Mr. Serj. Cross) yielded one whit to his friend (the late Attorney-General) in the zeal and ability which he brought to the conduct of that case. He differed also with the Learned Serjeant upon another point. For his own part, he never thought the worse of a man for belonging to any party, even though he might differ from the political principles of that party; and he was the less pleased to hear men, especially professional men, boast of their independence and their freedom from connexion with party, because he knew that there prevailed in the world a feeling that such men were open to, and ready to court and join any party, without caring what political principles they professed. Upon this ground it was that he objected to any such general proposition as that to which he had felt it necessary to allude. The Learned Gentleman expressed his regret at finding that there should have existed on the other side such a feeling as to induce them to include in this indictment the female defendant, a lady, against whom there was not a tittle of evidence that was not equally strong against half the people of Macclesfield. Mrs. Wakefield, since the occurrence of this transaction, had suffered more agony and distress of mind than Mr. Turner himself could wish to inflict on her. After going shortly over the evidence which was said to affect the female defendant, he went on to contend that the marriage was perfectly legal, and had been celebrated with the full consent and concurrence of Miss Turner. He was not there to defend the conduct of the Messrs. Wakefield; indeed, he had ample proof that Mr. E. G. Wakefield himself felt his conduct to be wrong. This, however, was not the question they were to try. He was sorry to be driven to such a course of defence as that he was about to set up; but he was bound in justice to himself to do so. He would call witnesses to prove, that from the first moment Miss Turner was in the greatest spirits; that she was on the most friendly terms with Mr. Wakefield, and sat on his knee before they arrived at Gretna Green, and that this intimacy and friendly feeling continued up to the last moment.

Mr. Baron Hullock.—That is of no importance. Can you resist that forged letter, and the taking away upon false pretences? This offence commenced with the removal of the lady, and what subsequently took place, at Gretna Green, or elsewhere, is of no consequence, though it may affect the punishment hereafter.

Mr. Scarlett, after some further observations, proceeded to call witnesses.

Robert Wilson.—I keep the Albion Hotel, Manchester. I remember the two Mr. Wakefields coming with Miss Turner, in the month of March. She was under no restraint.

John Wilson, a waiter at the Albion, remembered the coming of Miss Turner to the house. Saw the meeting between her

and Mr. E. G. Wakefield. When they met she shook hands with him, and seemed quite free.

Thomas Farewether, a post-boy, who drove the post-chaise from Delph to Kendal, deposed that Miss Turner was in the best spirits, and was laughing and talking throughout the journey.

William Wigney kept the George Inn, at Huddersfield. Saw Miss Turner when it became necessary to make some repairs in the carriage. Miss Turner seemed to be very cheerful.

Charles Cross, a waiter at Huddersfield, saw Messrs. Wakefield and Miss Turner. Mr. E. G. Wakefield and Miss Turner seemed like husband and wife, or gentleman and sister.

Mary Brockart, a chambermaid at the same place, said Miss Turner seemed in good spirits. She came down stairs leaning on the gentleman's arm.

Thomas Isserton, a waiter at Halifax, remembered the party coming to the house where he was in service. There was nothing but laughing and talking with the lady and gentleman.

——— Mason, a post-boy at Halifax, had driven the party to Keathley, and always observed the young lady to be in good spirits, laughing and talking.

Mary Bradley, an innkeeper at Hornby, stated, that the party had called at her house to get horses for Penrith. Miss Turner was very cheerful, and laughed.

The keeper of the Rose and Crown, at Kirby Lonsdale, saw the party pass her house. The lady laughed so much, that she thought there was a party of ladies in the coach.

Edward Garnett, a post-boy at the same place, who had driven the party to Kendal, proved that Miss Turner was quite cheerful, and conversed very contentedly.

Hannah Simpson, a chambermaid at the King's Arms, Kendal, deposed to the same effect.

Robert Dover, the post-boy at the same place, stated to the same effect. The lady seemed rather pale with her journey, but was in good spirits.

James Allison, a post-boy at Shap, drove the chaise from that town. The lady was in very good spirits, and very cheerful.

James Hartley drove the party from Penrith to Carlisle. The company seemed in good spirits. The lady was talking and laughing.

Thomas Atkins, a waiter at the Bush Inn, Carlisle, remembered the party arriving, and the Messrs. Wakefield asking for horses to Gretna. Miss Turner seemed in very good spirits.

William Graham, a post-chaise boy, drove the party to Gretna. The lady seemed in very good spirits.

David Laing called, amidst the buz of the Court.—You live at Springfield, New Gretna? I do.—Do you remember being sent for to a party last March? I do.—What did the gentlemen say to you? Witness—What did he treat me to, do you say? (Loud laughter was excited by this very natural blunder of the hard-of-hearing and toddy-loving gentleman.)—What did he

wish you to do? Why to do that which I have done for many others; to join hands and so on.—Did you make a bargain to do so? I did.—Was the bride quite agreeable? O! quite. The lady wrote down her name, and the gentleman wrote down his name. They were both very agreeable to join hands, and at the end they both embraced one another. I asked the lady for a present of a pair of gloves, and I received it from her own hand. Mr. Wakefield gave her 20s. to give me, which she did. After the ceremony was over, Mr. Wakefield asked what wine there was in the house. I told him, and he said he would have some Champagne.—Did he give you any? O! yes (with a peculiar glee, which made the whole auditory join in a burst of laughter). The gentleman and lady both seemed to be in good spirits.—Mr. Brougham. Mr. Wakefield did give me some money as well as the Champagne. I cannot say exactly how much. It might be about 20*l.* or 30*l.*—Mr. Brougham. Or perhaps 40*l.* The witness, with a peculiar gesture, said, he did not keep accounts as to speak to a few pounds. (Much laughter.)

[The Gretna Green certificate of the marriage was then put in and read.]

The witness was then recalled, and examined by Mr. Parke.—The marriage ceremony was in the ordinary form. It was in the old form of Scotland. The ordinary form of the Church of Scotland.

Mr. Brougham.—What do you mean, man, by the ordinary form of the Church of Scotland, when it has nothing to do with the Church? Are you a clergyman?—Witness, no.

Of what trade are you?—No trade.

Why, are you not an ostler?—Are you an ostler? (Much laughter.)

How long have you lived where you do now, at Gretna?—Forty-five years.

What did you before that?—I was a poor man.

What did you do when you were a poor man?—Whatever I could to get my bread.

What occupation did you follow?—Several.

Name some of them?—I was a merchant.

What sort of merchant? a Scots pedlar, was it?—Yes.

What do you mean by the ordinary form of the Church of Scotland? I ask you again, is it not usual in Scotland for parties to be married by a clergyman?—Yes; but many are not.

Is it not the more common course for parties wanting to get married to go before a clergyman?—I do not know; many do so.

Is not that the regular mode of marrying?—Yes, it is in a church.

By Mr. Scarlett.—What, then, is yours an irregular mode?—No.

What form of words do you use?—If you come before me, I will tell you.

Why, man, I don't want to get married! (Much laughter.) Tell me what you said?—I asked them whether they acknowledged each other for man and wife; they said they did. I then declared them to be man and wife before three witnesses.

Mr. Baron Hullock—I must say, I do not like this marriage.

Mr. Duncan M'Neil, sworn—I have been a writer to the signet upwards of eleven years. I am sheriff depute of Perthshire. I am acquainted with the law of Scotland relative to contracts of marriage. I have heard the examination of the witnesses here to-day. From what I have heard here of the proceedings at Gretna, it is my opinion that in themselves they constitute a valid marriage, and I have not heard any thing to take from me that opinion.

By Mr. Brougham—As a Scots lawyer, it is my opinion that, taken by themselves, the proceedings at Gretna constitute a valid marriage. There was formerly considerable doubt on the subject in Scotland, but it was considered as settled by the decision in Dalrymple's case. I am aware that three of the present Judges of Scotland have sworn it to be their opinion that such a marriage is not valid.

Mr. Brougham—Do you not know whenever the law of Scotland is not precise, the civil or Roman law is referred to?

Witness—Yes, I do.

Mr. Brougham—Do you know that is a general principle of the Roman laws, that any contract in which the consent was the effect of fraud, fear, or *dolus malus*, was null and void, and not enforced by the Prætor?

Witness—I do.

Mr. Brougham—Do you not know that there is an edict of Justinian, commonly called a *novella*, by which the carrying away, and marrying a female by deception, is a capital crime?

Witness—I think there is such an edict.

By Mr. Scarlett—I have no doubt that if consent to a marriage be given by a party, knowing what it was that they were about, such a marriage would be valid, although the consent were obtained by fraud.

By Mr. Baron Hullock—I never knew or heard of any case, in Scotland, that arose out of such circumstances as I have heard deposed to in this case here to-day.

Mr. Scarlett said he should offer no evidence for the defendants on the general issue. The Learned Gentleman then left the Court.

Mr. Serjeant Cross in reply said, that for five hours the Court had been carried away from the real question, which was, whether or not the defendants had conspired to an illegal act; and their defence, combining at once hardihood and folly, was, that they not only had conspired to do it, but had actually completed it. Of the guilt of the two Wakefields he thought not

a doubt could be entertained; and the Jury would discover, from Mrs. Wakefield's affording them a view of the grounds at Shrigley, a sight of Mr. Grimsditch, a knowledge of Mr. Turner's absence, of Mrs. Turner's illness, the lending of money, writing of letters, what share she had had in the continuing of the conspiracy. He should not regret if a difference of opinion could be honestly entertained in her favour; but he would leave all the case in the hands of the Jury, reprobating, however, most indignantly the base insinuations that Miss Turner had been defiled, when the confidential letter of Wakefield himself, and the separate apartments always occupied from Penrith to Calais, fully proved the falsehood and baseness of the insinuation.

[Mr. Turner, who sat by the Learned Serjeant, was much affected during this part of the speech.]

Mr. Baron Hullock, in charging the Jury, said, that the case against Mr. Edward Gibbon Wakefield and Mr. William Wakefield appeared to be so clearly established as to render it unnecessary for him to go over the evidence in order to enable them to form their opinion. With respect to the third defendant, Mrs. Wakefield, he thought the case extremely doubtful, the evidence being very slight. The Learned Judge then proceeded to recapitulate the evidence against Mrs. Wakefield, leaving it to the Jury to say whether upon that evidence they could come to the conclusion that she was guilty of that participation in the design of the other two defendants with which she stood charged. He said the Jury would probably agree with him, that from the circumstance of a carriage having been sent with a confidential servant, and the production of the letter of a physician, which, though it was a gross forgery, was contrived with sufficient ingenuity to delude. No charge of indiscretion could be fairly sustained against the Miss Daulby's, for permitting Miss Turner to be taken from their school. The Learned Judge was proceeding in his charge, evidently in the very heart of the subject, when he was interrupted by the Jury, who said they had made up their minds. Having consulted together for a few minutes in the box, they expressed their wish to retire.

Mr. Baron Hullock said, that if they had any doubt upon the whole case, they had better hear the whole of the evidence read over.

The Jury said that their only doubt was as to one of the defendants, their minds were already made up on the general case.

They then retired, and after being out about three-quarters of an hour, returned about half-past eight o'clock, with a verdict of Guilty against all the three Defendants.

Mr. Baron Hullock then asked whether they would proceed with the other indictment for a misdemeanor; after consulting, Mr. Serj. Cross told the Judge that they were not then prepared, but would be ready in the morning. The general opinion seemed to be, that the second indictment would not be tried.

SECOND TRIAL OF THE WAKEFIELDS.

Lancaster, Saturday Morning.

The Court was, this morning, much crowded in the expectation of the second trial, for the misdemeanor, being proceeded with against the defendants, it having been fixed for nine o'clock.

At that hour Mr. Baron Hullock took his seat on the bench, and the two Wakefields were in Court. Mrs. Wakefield did not appear.

Mr. Serjeant Cross addressed his Lordship, and said, he was instructed to state, that Mrs. Wakefield would not be called up for judgment upon the verdict of yesterday. This course was one of many on the part of the prosecutor.

A consultation was then held between Counsel, and it was intimated by Mr. Scarlett that he considered a verdict could not be had upon the indictment for the abduction, and he thought it a waste of time to proceed with it.

Mr. Serjeant Cross observed, he himself despaired of obtaining a verdict upon the law of the case—one count of the indictment, *the fifth*, would, however, reach the defendants.

Another consultation was then held, and at the end of a few minutes, the Counsel for the defendants said, they had no objection to plead Guilty to the fifth count, charging the misdemeanor.

Mr. Baron Hullock.—Then let that plea be entered.

The Prothonotary called upon Edward Gibbon and William Wakefield, severally to plead in the usual manner, and the plea of Guilty being by them made, it was recorded.

Mr. Serjeant Cross then moved that the defendant, Edward Gibbon Wakefield, do stand committed to Lancaster Castle, until he shall be called upon to receive judgment.

Mr. Baron Hullock—Let the defendant, Edward Gibbon Wakefield, be committed.

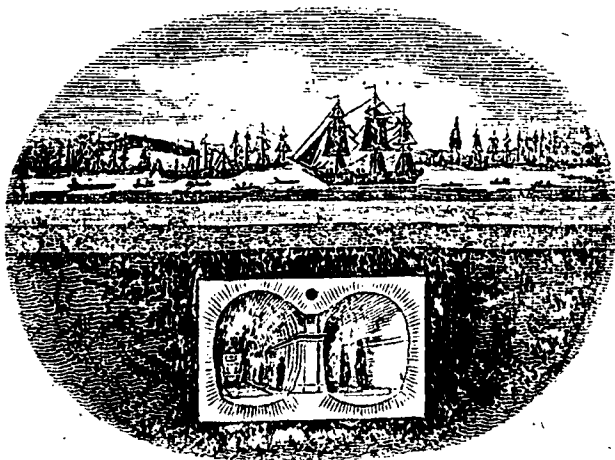
He was immediately taken into custody, and handed over to Mr. Higgins.

Mr. Baron Hullock ordered William Wakefield to be detained in custody, should the detainers for debt be discharged which are against him, and upon which he has been confined for the last three days.

Edward Gibbon Wakefield was taken by Mr. Higgins into the Castle.

Mr. Justice Bayley left here this morning to open the Commission at York.

THE
ORIGIN, PROGRESS,
AND PRESENT STATE 8
OF
THE THAMES TUNNEL;
AND
THE ADVANTAGES LIKELY TO ACCRUE FROM IT,
BOTH TO THE PROPRIETORS AND TO THE PUBLIC.



LONDON :
EFFINGHAM WILSON, ROYAL EXCHANGE.

1827.

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THE THAMES TUNNEL.

INTRODUCTION.

FOR some time past a torrent of prejudice seems to have threatened to sweep before it every thing which has acquired existence, in the shape of a *Joint Stock Company*; and a sort of criminality is made to attach to every one connected with them; it may therefore be permitted to those who have given encouragement to *truly laudable Institutions of that nature*, to step forward and claim exemption from the general obloquy. At any other time and under ordinary circumstances, I should not think of intruding on public attention, but it seems a duty now, to step in between the public and the hasty censurers of so great an undertaking, and to endeavour to correct those false impressions that serve only to depreciate property, and thus to increase difficulties which attend the establishment of all new Institutions. Acting from this feeling,

I venture to solicit public attention to the real nature and value of

THE TUNNEL UNDER THE THAMES,

which I boldly assert is calculated to do honour to our country.

In order to shew the real importance of this grand work, and to remove it entirely out of the pale of *Bubble Companies*, (which I pledge myself to do,) it will only be necessary to give a slight sketch of what has been done, and the manner of doing it; to state the advantages likely to arise from it to the City of London and the neighbouring counties, the great interest taken in it by engineers both civil and military, and the anxiety with which the progress of the work is watched by almost every man of science in Europe.

THE THAMES TUNNEL.

A GREAT variety of new and extensive undertakings have within these last two years attracted public attention; but it may be fairly said that none has appeared of greater importance than the *Tunnel under the Thames*, whether considered with the eye of an engineer and a friend to science, or with views of public utility and commercial importance.

The forming a spacious subterranean communication between the banks of a great navigable river, has long been deemed an important desideratum, both in a civil and military point of view; and two attempts to accomplish it have been made under the Thames. They failed; but the failure arose from causes somewhat foreign to the nature of the undertaking, as is well known to those who are acquainted with all the circum-

stances. From ignorance of these circumstances however, and knowing nothing beyond the fact of the failure, a considerable degree of prejudice has arisen against a tunnel; so much so, indeed, that it sometimes has been treated even with derision.

To shew the impropriety of such a view of the *present* undertaking, it will be proper to consider it in its different bearings; and also to mention a few circumstances connected with the former attempts; or rather with that of Rotherhithe, for that at Gravesend did not proceed far enough to deserve notice.

An attempt was made in 1809 to excavate a passage under the Thames a little below Rotherhithe, upon a very small scale, and was what, in the language of miners, is called a *driftway*. Its capacity was five-feet high by two-feet nine-inches wide, supported by timber only. No serious difficulty was met with for nearly the whole breadth of the River. They proceeded nine hundred and forty-five feet without any obstacle of importance. Then indeed a considerable body of quicksand came in. This obstruction however was soon overcome; and the work proceeded eighty-one feet farther, when it was impeded by a second irruption of sand, within one hundred and thirty feet of the termination of their distance. This

second obstruction was surmounted also, and the work was resumed ; but the time allowed for the operation being nearly expired ; besides which, the ground where it was to commence having been appropriated to the Commercial Dock, and a misunderstanding having arisen among the proprietors, it was determined to abandon the undertaking.

Nothing occurred in this attempt calculated to throw a damp on the present work ; quite the contrary ; for, even supposing a quicksand were now to be met with, it is clear (from the slender means which proved effectual to stop it then,) that it would immediately be overcome by the powerful means we possess.

Having thus shewn the nature of the former attempt, I will now point out the extent and nature of the present undertaking, from which it will be seen, that there is very little analogy indeed between them. In the present undertaking, instead of an excavation five feet by two feet nine inches ; the excavation is thirty-seven feet by twenty-two ; no wooden props are used, and a strong brick waterproof arch closely follows the excavation.

In 1823, the formation of the tunnel became an

object of deep consideration with Mr. Brunel; the engineer, well known as the inventor of the block machinery at Portsmouth, and many other important works; and his inventive faculty, so ably displayed elsewhere, at last discovered and constructed a machine, where the mechanic powers were so combined as to promise complete success, in the two great objects of supporting the ground, and protecting the men while at work.

He communicated his invention to his friends; and in the beginning of 1824, a number of gentlemen were convened to consider and examine the plans; and all agreed they were not only practicable, but very likely to be crowned with success; this certainly was my opinion, and I became a proprietor accordingly.

It was resolved to form a Company, to carry the same into execution under Mr. Brunel's superintendence. An Act of Parliament was applied for, to incorporate the Company, which was granted without opposition, so satisfied was every one, of the praiseworthy nature of the undertaking. It received the Royal assent on the 24th of June, 1824, and steps were immediately taken to carry it into effect.

Rotherhithe being considered the best situation,

borings were there made in the River, and on its banks, in order to ascertain the nature of the strata; Messrs. Maudsleys and Field, the great Iron founders, received from Mr. Brunel instructions and drawings for making the frame or protecting shield of cast iron; a fit and proper situation was fixed on; grounds and houses were purchased; the procuring titles to which, and settling valuations, occupied most part of 1824, and it was only in the Spring of 1825 that the work might be said to have been begun.

The novelty of the undertaking required much preparation. Before the Tunnel could be begun, it was necessary to get down to the depth at which it was to commence, and a shaft or well was formed of one hundred and fifty feet circumference, and three feet thickness of wall; and it was done in a very singular manner; for instead of excavating to a great depth and laying a foundation, a cylindrical brick tower, forty feet high, was built, of very curious construction.

On the 2d of March, 1825, the Chairman of the Board of Directors, W. Smith, Esq. M.P., accompanied by the other Directors and many scientific gentlemen, laid the foundation stone, embedded in brick, and having a brass plate with an appropriate inscription, coins, &c.

The foundation was laid on a wooden horizontal curb, shod with strong cast iron; and on reaching the top, at the height of forty feet, there was also placed a wooden curb; and the two curbs were connected and fastened together by iron rods passing through the brick work. The ground within was then removed, and this immense structure or tower was found to sink regularly for about thirty-three feet, when it came to a bed of clay, where it stuck fast; thus the *tower* became a *shaft*. The interior of it was further deepened as much as was thought necessary, and it was underpinned (as it is called) for a foundation. The shaft sunk in this manner may be truly said to be the greatest work of the kind ever attempted.

When the lower part of the shaft was finished, it was surmounted by a steam engine, and furnished with an apparatus for drawing up and letting down every thing necessary for carrying on the work. All this weight, *viz.* steam engine, boiler, apparatus, &c. &c., was curiously suspended by iron rods, fixed in large beams, which went across the top of the shaft. The shield, after considerable delay, being at last completed, it was lowered down and placed in the position where the tunnelling operations were to commence; preparatory to which, an opening below in the shaft had been made, of a size sufficient to receive it. This was in the month

of December, 1825, when THE TUNNEL may be said to have commenced; for all hitherto done had only been to the tunnel what the coffer dams are to a bridge.

The difficulty of propelling the shield was very great at first, for want of a proper resisting power to push against; and the brickwork of the entrance required to be of great thickness, in order to resist the pressure in that quarter. The sinking this shaft (and constructing a reservoir at the bottom, to contain the water which might intrude, and bring it under the pumps of the steam engine,) was an undertaking of great magnitude and difficulty, and of unforeseen expense; and the successful accomplishment of it does Mr. Brunel great credit.

Mr. Brunel, in directing his attention to the formation of a tunnel on a grand scale, had at once perceived the necessity of completely protecting the workmen, by supporting the ground in all directions, for which purpose the shield, already mentioned, was constructed, and I will attempt to give some account of it; but it is not an easy matter to convey to the mind a correct idea of this machine, without referring to the drawings of it; and, even then, it perhaps is necessary to possess a considerable knowledge of the mechanic powers,

before it can be well understood. It consists of twelve frames of strong cast iron, each independent of its neighbour, and altogether weighing upwards of ninety tons; they are three feet wide, and twenty feet high, occupying the whole space from the bottom to the top of the excavation. Each frame is divided into three floors or stories; in each of which a man is placed, to excavate the ground immediately opposed to him; so that they are calculated to contain thirty-six men. All the three men will proceed at nearly the same rate, and their task may be finished at the same time. The frames are then, either all at once or separately, moved forward; for doing which, screws are attached to them, bearing on the brickwork.

The frames being raised and lowered at pleasure, by screws, press against the top, and support the ground there; and being provided in front with small moveable boards, kept tight by screws pressing them forward, the pressure of the ground in that quarter is resisted, except just at the spot where the workman is cutting. When they have cut away the breadth of one board, they put it up again in its place, and screw it tight and remove another, where they again operate until all the ground opposed to their division of the frame is removed; the frames are thus moved forward, and the bricklayers build the tunnel close up to them;

the men work night and day, by *shifts* of eight hours.

The body of the tunnel is to be made of brick. It is fitted close to the top and sides of the excavation, which is *made good*, as it is called, so that the superincumbent weight is perfectly supported, and the lateral pressure resisted. The bricks are laid in Roman cement, and no *centering* is used for the arch, except a slight iron one, (for the sake of preserving the form of the arch,) which is moved forward with the work. Thus the work of excavation and the building of the tunnel keep pace with each other, and have now (2nd March, 1827,) advanced four hundred and seventy feet. The soil excavated has been wheeled in barrows to the shaft, and carried up by the steam engine; but a rail road is now formed below, in the eastern archway, and machinery constructed to bring all the soil out in small waggons, which carry back bricks.

The tunnel consists of a square mass of brick-work thirty-seven feet by twenty-two, containing in it two archways or passages, each of the width of sixteen feet four inches; each carriage road is thirteen feet six inches wide, and fifteen feet six inches high; and each has a foot-path three feet

wide. There is a central line of arches to separate the two passages; some of them so wide that carriages may go from one line of the tunnel to the other. The length of the tunnel will be about one thousand three hundred feet.

It was a matter of the very first importance to know the nature of the strata likely to be encountered in proceeding from the surface downwards: upon this, the difficulties of the undertaking chiefly depended. In order to acquire this knowledge, a survey of the river was made, at the place where the tunnel was proposed to pass; the ground was bored in three distinct lines, both above and below the proposed passages; and the report of these borings was most satisfactory; it appearing that a bed of clay existed everywhere above the line of the tunnel, the nature of which was to protect the work from water.

The first three hundred feet of the tunnel has been pretty uniformly through the same strata, appearing to dip from South to North across the river at about $1\frac{1}{2}$ per cent., while the excavation has been at 3 per cent.; thus the excavation has been at some inches below the bed of clay, and the bottom deeper in the gravel; the excavation was, upon the first starting, as follows, viz. in

- 3 feet of strong blue clay }
 6 feet of fine blue or green silt } without water or stone.
 6 feet of do, with abundance of small shells, very minutely
 broken and none perfect, sometimes in thick layers, leaving
 the silt pure.
 2 to 3 feet of indurated clay or stone, not at any time con-
 tinuous or requiring to be blasted, but coming out in large
 lumps.
 3 to 6 feet of gravel, supposed to be waterworn ; it is intermixed
 with red, blue, green, and yellow clay.

Much of the ground excavated consists of clay, of which, when washed, bricks, to a considerable extent, have been made.

It may now be proper to notice the very important part of the business, the expense of the tunnel, and the revenue likely to be derived from it. This naturally engaged Mr. Brunel's attention at a very early period ; he made estimates of the expense of every item ; and calculated that the whole would not exceed £160,000. But the work has been attended with so many expensive contingencies, occasioning repeated delays, that the calculations as to the progress have not been verified. It was calculated that the tunnel should advance three feet a day ; and although sometimes they have gone two and half feet per day, the progress generally has been much slower. If this continues, it is clear, that all those expenses which depend

on time; such as wages, lighting, &c. would be increased, and must be added to the above estimated expense. It is true, they may go on better, and with more speed, by and bye: experience may teach a more expert management of the shield; and a better application of their means; but it is necessary to look at the expense in all its bearings, and not to forget that, in an unexplored road, through an unknown region, there is a *possibility*, at least, that serious obstacles may be met with, although the *probability* of doing so is not great, if we may judge from what we have hitherto seen.

The Act of Parliament allows to be raised £200,000; and an additional £50,000, if necessary, by mortgage. The appropriated shares will only yield £182,000. Let us suppose, however, it may require £200,000 to finish the work; I do not despair of shewing that a revenue may be got from the tunnel, capable of paying a fair interest for even that sum; nay, I will go farther, and suppose £250,000 to be wanted; I maintain, that a fair return may be expected for even that amount; at any rate, the tunnel itself will be completed for a much smaller sum; and the descents and approaches will not be *begun* till the tunnel itself is *satisfactorily* accomplished.

Let us suppose, that, by the combination of a

variety of scientific and judicious operations, the tunnel, with its descents and approaches, is completed; that all its toll-houses and toll-gates are erected; and that, by a liberal distribution of *gas-lights*, ample illumination is provided: the passenger will find himself placed in a novel situation, where he will have much to admire, and nothing to fear. The gas-light and daylight will blend so gradually at the entrances, that the line of separation will hardly be discernible; and it may be expected, that the convenience of a safe, short, and pleasant passage will be taken advantage of by all classes, and that a *small* toll will be cheerfully paid for so *great* an accommodation. I will endeavour to form some sort of rational conjecture as to the probable amount of those tolls.

The undertaking having the merit of being original, I can have recourse to no case exactly in point. I must therefore, in forming an idea of the revenue, be content with cases that are, in some respects, analogous, such as bridges; and must calculate what proportion the amount of our toll is likely to bear to theirs, considering the comparative population of districts, and the probable number of passengers that may come from a distance.

Experience has decidedly proved that the bridges across the Thames, in and near London,

have drawn to them a mass of population, and produced a strong spirit of improvement. Good roads have been formed in different directions, in order to take advantage of the bridges; and thus travellers from the country have contributed to their support. This has been the case not only at Westminster and Blackfriars, but also at the Waterloo and Vauxhall bridges; and it may fairly be stated, that the two latter *were not so much wanted* in their respective situations, as the tunnel is wanted at Rotherhithe.

Looking at the prodigious increase of buildings and population on the North side of the river; in the district of Poplar and Bethnal-green; the numerous great public works, and extensive manufactories, from Blackwall to Wapping, the East and West India and London Docks, the Regent's Canal, connecting that district with the interior; and considering that the river is a *barrier* which prevents a free communication between the people in the four counties of Middlesex, Essex, Surry, and Kent, on the opposite sides of it, with all the public and private works, wharfs, quays, warehouses, and manufactories; surely, to make a safe way through that barrier must be considered as a grand public improvement, particularly in a severe winter, when, from floating ice, all passing in boats is stopped.

Let us suppose, for a moment, that a fine bridge was thrown across the Thames at Rotherhithe. Can any one doubt, that an immediate intercourse would take place, to a very great extent, between the two sides of the river ; that population would draw towards it ; that new streets would arise ; that the different manufactories on each side of the river would supply each other with the same facility with which they now supply their neighbours, and which, at present, they no more think of, than if they were miles off ? Would not travellers from Essex, and the lower part of Middlesex, going to Kent and Surry, and *vice versa*, prefer this fine bridge and the fine roads, to going round half a dozen miles, and over the stones, through the narrow and crowded streets of London ? particularly in winter, when the streets of London are rendered very dangerous, and indeed almost impassable by the accumulation of ice and snow. Would not many of the Deptford and Greenwich stage-coaches, and the Kent and Surry coaches, prefer such a bridge ? which would not only facilitate their entering and passing from the city, but would shorten their distance considerably :—there can be no doubt they would thankfully make use of it. Then it is very fair to infer, that, to a considerable extent, the tunnel will supply the place of such a bridge.

A prejudice may exist at first against the tunnel; but as all prejudices, founded in error, give way, when experience has shewn their fallacy, I trust that, in our case, this general rule will hold good; and that almost all the advantages which would result from a bridge, will attach to the tunnel, and that the emolument, which would *to a certainty* be derived from a bridge, will be derived from the tunnel in a very considerable degree.

If a bridge, which would cost almost a million, would yield a competent revenue, how much more reasonable is it to suppose that a tunnel will do so, which will not cost a fourth part of the money.

If a commodious bridge could be built for *what the tunnel will cost*, I presume there are few who would not wish to have a share in it, from a certainty that it would be a profitable concern. But when experience has destroyed all prejudices against the tunnel, why should we not calculate upon its being as much used, and as productive, as a bridge?

Let any one go upon the Waterloo Bridge, and observe the seemingly small number of carriages and passengers; yet, notwithstanding this, the

revenue is considerable: he will certainly be a good deal surprised to learn that the net revenue of that bridge is about £14,000 a year. Let him then go to the Vauxhall Bridge, and he will see very few foot-passengers or carriages there; and yet it yields a revenue of £8,500 a year:—now, comparing the state of the neighbourhood of Vauxhall Bridge, with the site of the tunnel,—where the industry of the greatest port in the world is in full activity,—where hundreds of vessels are built and repaired, and immense numbers loaded, victualled, manned, and provided with all their stores,—all the people connected with these operations living in the neighbourhood; it surely is not unreasonable to conclude that the revenue, arising from the tunnel, *will equal*, at least, that of Vauxhall Bridge? Nay, it does not seem too much to say, that it will equal the present revenue of the Waterloo Bridge. Let us suppose an extreme case;—that we expend £250,000 which our Act of Parliament enables us to raise, the revenue of the Vauxhall Bridge would give near 4 per cent. and that of the Waterloo Bridge nearly 6 per cent. on that sum. Under these circumstances, I should like to know why the tunnel-shares should be at so great a discount, and also what great public work promises so good a prospect for the investment of capital.

There are two sorts of subscribers to new works and joint-stock companies. First, speculators, who take shares for the purpose of jobbing, and who sell very soon, if they can realise a profit; if they fail in this, they hold till a call is about to be made, and then they sell, even at a loss, if they cannot do better. Secondly, there are subscribers who look only to the *natural advantages* of the undertaking, to render them a fair rate of interest for the capital employed, and who are willing to wait, till these advantages may naturally be looked for.

The real value of the shares of every concern depends upon the revenue to arise, in proportion to the capital employed; and the public opinion of such value ought to be influenced by the following considerations. First, the *capability* or *possibility* of yielding a *very large revenue*; next, the *probability* of doing so; and, thirdly, the time that may elapse before the returns commence.

A tunnel or bridge amongst the *Welsh mountains*, for the convenience of passengers, would have no capability of yielding a large revenue—it is impossible it could, the means of an immense traffic not existing in the country; but a tunnel or bridge in the *Port of London* is not only capable of yielding a large revenue, owing to the immense

population; but it is even *probable* that such revenue will arise; and that at no very late period after the communication is opened.

The Thames tunnel has created an incredible degree of interest, both in this and in foreign countries. It is the subject of inquiry, to every person who goes abroad from London. And foreigners arriving in London, especially men of science, make a point of visiting the works; nor is it much less the subject of inquiry with persons in England who feel an interest in public and scientific works. I understand there have been amongst the visitors, princes of the blood, many noblemen, both British and foreign, (numbers of our own nobility being proprietors,) his majesty's ministers, a great many officers both naval and military, and numerous ladies and gentlemen of the first consequence, who have all been to see this wonder of the age.

The directors, desirous of gratifying public curiosity, as far as it can be done without injury to the works, or interfering with the workmen, have made arrangements to admit the public five days in the week, on paying one shilling; they will be permitted to descend the shaft by a good staircase, and proceed along the west road of the tunnel, for a considerable distance, which even

now will place them beyond low water mark, and, of course, under the ships navigating the river.

I hope my fellow proprietors and the public will allow I have redeemed my pledge, that I should remove our *Tunnel Company* out of the pale of *Bubble Companies*; and that they will join me in thinking, complete success promises to crown our undertaking;—and as to the pecuniary interests of the proprietors, although, from the unfortunate state of the times, they may now appear at a *low ebb*, yet that, ere long, they will be up to *high-water mark*, and every pound they have advanced be worth a sovereign.

THE END.

LONDON:

Printed by D. S. Maurice, Fenchurch Street.

LETTER

TO THE

9

RIGHT HONOURABLE

LORD BEXLEY

CONTAINING

STRICTURES ON THE SPEECH DELIVERED BY HIS LORDSHIP AT THE
MEETING OF THE KENT AUXILIARY BIBLE SOCIETY, HELD
AT MAIDSTONE OCTOBER 10, 1826;

FROM THE

REV. ANDREW THOMSON, D.D.

MINISTER OF ST. GEORGE'S CHURCH, EDINBURGH,
AND ONE OF THE SECRETARIES TO THE EDINBURGH
BIBLE SOCIETY.

EDINBURGH:

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Thw/let

LETTER

TO THE

RIGHT HONOURABLE LORD BEXLEY.

MY LORD,

At the Anniversary of the Kent Auxiliary Bible Society, your Lordship delivered a speech, the object of which was, to defend the conduct of the Earl Street Committee, and to cherish in those who heard you a continued reliance on their wisdom and integrity. That speech soon found its way into the Newspapers. It has been printed in a separate form. Its circulation has been forced through every corner of the Empire. And from the eagerness displayed, and the expense incurred, in giving it this extensive publicity, I cannot but draw one of two inferences. Either I must infer that it is regarded by the persons for whom it pleads as a conclusive and triumphant answer to all the charges which have been brought against them; and that, if what your Lordship has advanced in their behalf, can be satisfactorily refuted, they must be found guilty and retire from office. Or I must infer that the Committee, perfectly aware of the badness of their cause, are willing to shelter themselves under the respectability and influence of your Lordship's name, and to give us the opinion or the authority of a Christian Nobleman, as sufficient to

disprove every fact, and to rebut every argument, by which their proceedings have been arraigned. On perusing the speech itself, I am compelled to declare, with all the deference which I entertain towards its author, that the latter alternative appears to me the most rational and probable. But lest it should be said that I am mistaken in this supposition, and that the accusers of the Earl Street Committee are afraid to encounter what their Noble Advocate has uttered in their defence, and what they seem to put forth as a sufficient and unanswerable vindication, I shall take the liberty of animadverting upon it at some length, and of pointing out, with that respect to which the individual whom I am addressing is justly entitled, but at the same time with that freedom which the interests of truth require, the utter incompetency of all that your Lordship said at the Kent meeting, to justify, in any degree whatever, the principles and the actions of those whom you so zealously defend.

The first particular to which your Lordship alludes is "the apocryphal question." And on this we have the following remarks.

"With respect to the apocryphal question, as I consider that point finally settled by the resolution of the General Meeting in May, I shall not add a word to what was said by my honourable friend; excepting that the Committee, with the most anxious labour and indefatigable perseverance, endeavoured to go to the bottom of the question; and that the discussions which ensued, though often tedious and painful, were conducted with Christian charity, and with mutual kindness and respect—those who absolutely condemned the circulation of the Apocrypha in all cases, and those who contended for the propriety of admitting it to a certain extent, and for certain purposes, giving each other credit for sincerity and good intentions towards the great object which the Society had in view; and only differing as to the interpretation of one of its fundamental rules, and as to the most efficacious mode of distributing the Word of Life."

Now we are left entirely ignorant of what your Lordship's honourable friend, Mr. Noel, said on the apocryphal question. But we are given to understand that

what he did say was so complete as to require not even a word in addition. And the Committee, by whom the speech is published, inform their constituents, that Mr. Gerard Noel offered an explanation respecting their apocryphal proceedings, which was so satisfactory, that Lord Bexley gave it his unqualified sanction. Were this mode of settling the dispute admissible, we should be saved a great deal of trouble, both in thinking and in writing. But as we are not accustomed to believe where all grounds of rational belief are refused, we must reject the authority of Mr. Noel, even though he has all the advantage of your Lordship's commendation. Had the Committee condescended to favour us with the statements and reasonings of Mr. Noel, we would have judged of them for ourselves. But it is rather too much to expect our acquiescence in these, though they be carefully withheld from us, and to expect our acquiescence merely because they are applauded by one who, it may be suggested without any just offence, is himself a member of the very Committee which stands accused, and took an active part in the very doings which are questioned and impugned.

Your Lordship is pleased to assert that the apocryphal question is a "point finally settled by the resolution of the General Meeting in May." Allow me to say that this is just one of those *gratis dicta* which are extremely convenient for one side of a controversy, and most unsatisfactory to the other, because they take for granted the very thing which remains to be proved. Had you read the Statements of the Edinburgh Committee, it must have occurred to your Lordship, that what you call the "final settlement" leaves a considerable portion of the evil unremedied. Or at least you must have seen an objection stated on this point, and that objection supported by arguments which, if not conclusive, deserve a serious and explicit answer. Neither your Lordship, nor any of your co-adjutors, have attempted to give such

an answer. And I must protest against the arbitrary and dictatorial mode of determining this most important branch of the question, which the defenders of the London Society so readily and complacently adopt. In reply to the dogmatic assertion with which your Lordship so easily gets over the subject of apocryphal circulation, I beg leave to hold it demonstrable, that by the arrangements agreed to on 3d May, the Bible Society may assist the Continental Societies most materially in distributing the Apocrypha—not only to hold it demonstrable, but to appeal to the demonstration as actually and fairly given in the pamphlets referred to—and to challenge your Lordship and all your associates in Earl Street to point out one fatal mistake either as to the data on which it rests, or as to the manner in which it is conducted.

But even though I should not insist upon this view of the case, it is clear upon another ground that the apocryphal question, practically considered, is not “finally settled.” Though the rules enacted by the Annual Meeting in May last were incapable of being misinterpreted, and in this way applied to unworthy purposes, is that sufficient to secure their faithful and efficient administration? Observe, my Lord, we never thought that there was any defect in the original law. We wished for no change in its language or its import. We deprecated all interference with it in either of these respects. We have always held it to be as clear and definite in its meaning as man’s wisdom could make it. And the alterations now made upon it, instead of rendering it more perspicuous, do, in our opinion, render it more susceptible of “dubious interpretations,” and open a door for far more perversion and abuse than it would have been liable to, had it been permitted to stand in its primary form. What we complained of was the conduct of the Committee in violating the original law. And what we considered was, that while the law remained untouched, there should be such a modification of the sentiments

and the membership of the Committee as would secure a *bona fide*, and zealous, and consistent prosecution of the sole and exclusive object of its appointment, namely, the distribution of God's Holy Word. We maintain that no such modification has been effected; but that the Committee is so constituted as to forbid our confidence and attachment. And, therefore, when your Lordship says that "the apocryphal question is finally settled," it is a mere gratuitous affirmation to which we cannot accede—which we positively and utterly deny. The law, as it originally stood, was as free from liability to misapprehension, to say the least of it, as the law now is, after it has been made apparently more specific in its enactments. It was not the law that was in fault. *It was the Committee that sinned.* And it is vain and idle sophistry to give a different aspect to the law, while the Committee are allowed to consist of the same apocryphal men, who had transgressed the statute wilfully and deliberately, and who have given no satisfactory proofs, if indeed they have given any proofs at all, of the penitence which it becomes them to feel, and no security for future uprightness in the execution of their trust. I repeat it, my Lord, because the truth on this point is so industriously kept out of view, and is at the same time so important to be remembered, that it was not the law, but the Committee, that wrought all the evil, and that the simplicity of the law has been violated and destroyed merely to provide an apology or an escape for the Committee by whom that law had been so unworthily transgressed.

I am perfectly aware of what your Lordship says about the different interpretations given to the fundamental rule. This pretext has been more than once brought forward by those who either did not know the history of the case, or who concealed what they knew. I scarcely expected that it would have been pressed upon our notice under the sanction which it has now received. But since my Lord Bexley has been pleased to urge it, I am

under the necessity of exposing its utter groundlessness, and depriving the Earl Street Committee completely and for ever of that fictitious refuge. I do not say that your Lordship must perceive the fallacy of such an argument, but I do say that your *not* perceiving it is to me most marvellous and unaccountable.

The Committee "*only differing as to the interpretation of one of its fundamental Rules!*" Permit me to ask you, my Lord, when was it that this difference of opinion began to exhibit itself? At what period can it be averred with truth, that so many of the Committee took one view, and that so many took another view, of the subject? Where are we to find the record of such contrariety, in order that we may ascertain both its existence and the time of its origin? Or if there be no such record, is there no one to give us from memory the information that we need so much, and to specify the particulars of a fact so very important and so confidently affirmed? The verity is, my Lord, that the different interpretations of the fundamental rule were not given till the displeasure of the country was awakened, and till the Committee were laid under the necessity of saying something to remove that displeasure, and conciliate those by whom it was expressed. It was then, and *not till then*, that the law was attacked and tortured in order to extract from it a meaning which it had never previously been supposed to contain,—and that certain people chose to argue that it allowed the circulation of the Apocrypha. Disprove this, my Lord, if you can.

It is impossible, in the very nature of the case, that there could be that difference, as to the interpretation of the fundamental rule, which your Lordship refers to. What was the practice which the rule is supposed to allow? Why, it was the practice of *giving the Apocrypha as a part of the Word of God*. And is there a man of common understanding within the three kingdoms, who sincerely thinks, or will venture to allege, that when the object of

the British and Foreign Bible Society was agreed upon, and when the law was framed according to which that object was to be prosecuted, it could by any possibility be meant, that silly fables, and heretical doctrines, and statements contradictory to the Bible, might be given forth as constituent portions of the oracles of Divine truth? And yet this is what must be maintained by those who defend the London Committee, on the ground of the fundamental rule being capable of the interpretation which has been so perversely got up to justify their conduct! Although the principles of the Institution had not been so clearly stated, and although the regulations for the government of the Committee had not been so distinctly worded as they really are, still no individual whose judgment is sane, could have imagined that the Christians of Great Britain had combined for the purpose of corrupting the Bible before distributing it, and palming upon hundreds of thousands of their fellow-creatures the fabrications of lying prophets for the truths of Divine Revelation. But when we look to the purpose and the constitution—the specified object, and the authoritative enactments of the Society, in connexion with the well-known religious tenets of those who established it and those who came forward to its support, I cannot conjecture how it has ever entered into the mind of one human being who discerns between right and wrong, that the Committee were left at liberty, for any reason whatever, to mix up fourteen uninspired books with the books of the inspired volume, and present the whole to ignorant people of all denominations as that which was indited by the Holy Ghost for the instruction and salvation of mankind. There is in such a hypothesis so much gross and unmingled absurdity, that almost no extent of credulity is able to embrace it. And if any one says to me, “my opinion is, that the law admits of Apocryphal circulation,” I have only to answer, “it is wholly incredible that such can be your opinion, if you know any thing at all

of that about which you are speaking; because your opinion amounts to this, that the British and Foreign Bible Society intended to invest its Directors with the power of confounding all the distinctions that obtain between what is canonical and what is uncanonical, of circulating lies under the title of the Holy Scriptures, and making God the author of falsehood, contradiction, and imposture."

On the simple view now given, I might properly and safely rest my whole argument. But your Lordship must be sensible that I can give it a much broader foundation. Innumerable circumstances and testimonies may be adduced to show that the law of the Bible Society was incapable, according to the language of Lord Teignmouth its President, of "dubious interpretations." Lord Teignmouth delivered this opinion at a very early period: he spoke from an intimate acquaintance with his subject: his assertion was never on any one occasion questioned or denied: on the contrary, it met with universal acquiescence; and one of the peculiar excellencies of the Institution, which became the theme of frequent applause, and formed a guarantee and a security against abuse, was just this,—that nobody could possibly mistake the single purpose for which it was established, and that its single purpose was the circulation of God's Word.

And, my Lord, what was it that procured for the Bible Society the ready, the cheerful, the unqualified concurrence of Christians of all denominations throughout Great Britain? Was it not that very feature of the Institution with regard to which we now hear of a difference of interpretation? Had the law permitted the Apocrypha to be distributed—had it left that matter to the discretion of the Directors—had it not evidently excluded such a thing from those operations which it was framed to regulate and control, is any one extravagant enough to imagine that the religious public would have come forward as they did to support the Bible Society? Assuredly not

Every different communion in the country approved of it, and lent it their aid, exactly because, instead of disseminating the peculiar sentiments of any one of them, it was to disseminate that in which they all agreed—the Records of Divine Revelation, to which they unanimously appealed as their common and only rule of saving faith. It was on that account alone that men of all various creeds commended it, and countenanced it, and supported it both by their personal labour and their pecuniary contributions. And now, after something else than the Word of God has been circulated, and that something circulated as a portion of the Word of God, we are to be insulted with the allegation that there are persons who interpret the law in such a manner as to make it comprehend the circulation of the Apocrypha !

But I appeal to the declared convictions of the Committee itself, in whose behalf your Lordship pleads the difference of interpretation. These we may gather from what has been said by those individuals of the Committee who may be reckoned best acquainted with the law and principle of the Society, and also from what has been said and done by the Committee in its collective capacity. And a very short statement will be sufficient to convince every impartial reader, that no “difference of interpretation” either could or did exist among those in whose vindication that alleged difference is now so stoutly and pertinaciously asserted.

No man could better understand and explain the object of the Institution than the Rev. Mr. Hughes, who was one of its original projectors, who assisted in framing its laws, and who was appointed to an active and official share in its management, which he has held ever since. And in a pamphlet which he published at the very outset, to expound its principles, and to interest the public in its favour, he used the following language ;

“The features of the Society would be all fair, conciliatory, and candid; for we assume as a fundamental principle, that it distribute nothing but the Scriptures: this, it will be recollected, is the case with the Bible Society; but as the exertions of that society are confined to the army and navy, the two plans will never interfere. It is freely granted, that other books have been eminently useful; we therefore ourselves engage in the distribution of them. But it will be advantageous here to omit them. Circulating the Bible only, we circulate pure truth, pure morality, pure religion; and, while we thus offer to the hungry multitude the finest wheat, without tares, and without chaff, we provide what is suitable to every one; we commit no mistake, and, not being distracted by variety, we lose no time, when applied to for a volume of instruction, in deliberating what to give. Thus, too, we demolish the invidious wall of partition, we cut off the occasion of theological hostilities, and invite Christians in general to associate for the more extensive propagation of their common faith. While there exists so many opposite opinions, the several denominations will often act separately; but surely, to a heart capable of admiring the generous spirit of the Gospel, it must be far more gratifying to enter those scenes in which all can conscientiously act together, and to quit the dark confined alleys of a party, for the open, healthful, and cheerful plain of genuine catholicism.”

Now, my Lord, having perused this paragraph, is it possible to mistake the object of the Society as set forth by the very man who took such a part in its establishment as to be generally esteemed the very founder of it? Does it not, in the plainest and most ample manner, exclude the Apocrypha? Does it not propose to circulate the Bible only, because it would thereby “circulate *pure truth, pure morality, pure religion,*” and give to mankind “the *finest wheat, without tares and without chaff?*” Does it not recommend the plan, on account of its being one which “*cuts off the occasion of theological hostilities?*” And does it not hold out the Naval and Military Bible Society as the model of the New Institution, with regard to the book which it is to disseminate, though not with regard to the field on which it is to labour, and does not that Society uniformly exclude the Apocrypha? Only let it be supposed for a moment that the circulation of the Apocrypha or of

spurious Scriptures was contemplated, and does not such a supposition at once, and completely falsify the whole statement put forth by Mr. Hughes? And after this, how could Mr. Hughes, a father of the Institution, and one of its Secretaries from the very commencement, and a diligent promoter of all its exertions, fail to know its purpose as clearly propounded by himself, and how could his fellow-labourers fail to learn from him that which was, according to his own instigation and his own showing, its single purpose and its characteristic excellence?

Let me next introduce to your Lordship's notice Mr. Robert Steven, who was a partner with Mr. Hughes in the formation of the Society, who has been a member of its Committee from that early period, and who has been all along most attentive and diligent in conducting its operations. His testimony is contained in a letter which he wrote on August 30, 1825, and from which I give the subjoined extract.

"I abominate the Apocrypha, and lament its position in any Bible. Still knowing the prejudices and ignorance of the Greek and Roman Catholic churches, I could have wished that, in some certain cases, we might have had the liberty of giving them the canonical books printed by us, even to those churches which interspersed the Apocrypha with the canonical Scriptures. We must, however, honestly act in a strict conformity with the constitutional principles of the Society. Having had the honour of being one at the formation of the Society, and having been twenty-one years in its Committee, we, at the time these rules were established, had no such idea in our mind as what has been attached to them, that we meant the authorised version of other churches. We had no reference to these. What we alone were anxious for was, the conveying the pure unadulterated Word of God, first to our own country, and afterwards to the whole world."

Can any thing, my Lord, be more precise and more explicit than this account of "*the constitutional principles of the Society?*" Mr. Steven says that the founders of it "*had no such idea in their mind when its rules were esta-*

blished, as what has been attached to them, that they meant the authorised version of other churches." He says that they "*had no reference to these.*" He says that the thing which "*alone they were anxious for was to convey, first to their own country, and afterwards to the whole world the pure unadulterated Word of God.*" Mr. Steven says all this from his access to know the mind and intention of the Society at its very origin, and after a familiar and every day acquaintance with it for one and twenty years, and even under the strongest temptation to give a different colouring and complexion to its character. And surely your Lordship must perceive that such evidence is as incontrovertible as it is positive and distinct, and that the person who gives it could not possibly avoid inculcating upon his brethren of the Committee the same constitutional doctrine which he himself held, and that it is in vain for any of them to plead ignorance in order to justify their departure from it.

Need I bring forward the Rev. Mr. Owen's authority? He was one of the original Secretaries: he was the accredited Historian of the Institution; he stood foremost on every occasion in its defence; he was believed to be intimately conversant with its design, its rules, and its whole affairs. And what does he say respecting it? "From the beginning to the end of his work," to borrow the words of the Second Statement of the Edinburgh Committee, "he uniformly conveys the idea that the Society had nothing in view but the dissemination of the Holy Scriptures, in the ordinary acceptation of that term, and seems to take pleasure in dwelling on that feature of its constitution, as forming both its peculiarity and its glory." Many quotations might be given, as your Lordship well knows, illustrative and confirmatory of this. But one is sufficient. Mr. Owen tells us that the book which alone the British and Foreign Bible Society circulates has (in the language of Locke) "God for

its author, salvation for its end, and truth without any mixture of error for its matter." This is the testimony of Mr. Owen; and does your Lordship think, or will any of the Committee avow, that the *Apocrypha* has "*God for its author,*" and that the matter of the Bible is *truth alone*, and has no "*mixture of error*" in it, *when it contains such fables as Tobit and his Dog, or Bel and the Dragon?* Or are we to set aside Mr. Owen as an incompetent, incredible witness, and give credit to those who, after having sent forth Apocryphal lies under the character and title of God's Word, pretend to put a different interpretation on the fundamental law of the Society? Indeed, my Lord, you must not think that we are to be so easily befooled.

I have next to refer your Lordship and our readers to the noble President of the Institution. We all know the paternal interest that Lord Teignmouth has taken from the very outset in its business and its prosperity. There can be no doubt that he perfectly understood its object and its regulations. And those must be bold men indeed who can talk of differing from his Lordship as to the meaning of its fundamental law, of which for many years he was the principal authoritative expounder. But Lord Teignmouth, in the Report of the proceedings which he gave to the Annual Meeting in 1810, described the British and Foreign Bible Society as

"An Institution founded on a principle so simple, so intelligible, and so unexceptionable, that persons of every description, who profess to regard the Holy Scriptures as the proper standard of faith, may candidly and conscientiously unite in it"—"an Institution which secures an adherence to the integrity of its principles, by regulations so precise and defined as not to admit of dubious interpretations."

But does the *Apocrypha* form any part of "*the proper standard of faith?*" And if not, how could it be considered as forming any part of "*the Holy Scriptures?*" And if the regulations of the Society, which were intend-

ed to “*secure the integrity of its principles,*” of which the leading one was the circulation of “*the proper standard of faith,*” were “*so precise and defined as not to admit of dubious interpretation,*” how came it to pass that the persons to whom your Lordship refers took it into their head that the law *was* of dubious interpretation, and that “*the proper standard of faith*” might be so construed as to include *the fabrications of foolish or of wicked men?*

I may also quote the language employed by Lord Teignmouth in his letter to Dr. Wordsworth. In that letter—as Mr. Hughes had told us, that the Bible to be circulated by the British and Foreign Bible Society was the same as that circulated by the Naval and Military Bible Society—so Lord Teignmouth tells us, that the British and Foreign Bible Society distributed the very same Scriptures as those which were distributed by the Society for Promoting Christian Knowledge, which he knew well did not contain any of the apocryphal writings.

“*The two Societies have one object in common, the diffusion of the Holy Scriptures, and all the operations of the Bible Society are confined to the sole act of distributing the Bible to the utmost extent that its means will allow.*”

Your Lordship need not be told that the Editors of the evangelical journals of the day did, without a single exception, applaud and recommend the British and Foreign Bible Society as an Institution in which all denominations of British Christians might unite, because it disseminated not the peculiarities of any sect, but the books which every sect acknowledged and cleaved to as the record of divine truth. And I must particularly refer to the Editor of the *Christian Observer*, who was at first, and has continued to be, a member of the Committee, equally zealous and influential. In that work, which he long conducted both with ability and success, he had frequent opportunities of mentioning, defending, and

eulogising the Society, which he never failed to embrace; and it was one invariable ground of defence, one unceasing subject of eulogium, that the Society distributed nothing but what was believed by all its friends and by all its opponents to be the inspired volume. He never speaks as if there could be any mistake as to that point. On the contrary, he expresses a hope "that all who regard *the Bible as the Word of God* which is able to make men wise unto salvation, will cheerfully contribute to the support" of the Society. He speaks of churchmen and dissenters, by becoming members of it, "uniting hand in hand in the dispersion of *that sacred volume which they alike revere as the Word of God.*" And he states, as one of its numerous excellencies, that it will "constitute the whole world *guardians of the purity of Scripture*, by circulating them in *every language*, and naturalising them in *every country.*"

The Rev. Mr. Dealtry was an early, ardent, and eloquent advocate of the British and Foreign Bible Society. He also attended and argued and voted at the late meetings of Committee, so long as there seemed to be any hope remaining of giving the Apocrypha a place in its operations on the Continent: and when he abandoned Earl Street, he left his name attached to the memorable protest given in by Mr. Brandram and others against the Anti-apocryphal Resolutions of November 21, 1825. Yet I beg leave to quote the following passage from his "Vindication of the British and Foreign Bible Society," &c. published in 1810.

"Eternal God! Hast thou provided thy blessed Word to be *a lamp unto our feet and a light unto our path*; hast thou indeed enjoined it upon all, as a sacred duty, to search the Scriptures; to read them by day; to meditate upon them by night; to teach them diligently to our children; to talk of them when we sit in the house, when we walk by the way, when we lie down and when we rise up; to receive them with all reverence, as the record of truth, as the guide to everlasting life; and shall creatures like us attempt to impede the

free course of thy mercy, and to defeat thy providential designs? Shall we interpose, to arrest the pure stream of heavenly light, till they can be rendered more fit for their purpose by the miserable contrivances of human ingenuity? 'Keep back thy servants from presumptuous sins: then shall we be upright, and innocent from the great transgression!'

I now ask your Lordship, and I call upon Mr. Dealtry to say, if language could more peremptorily exclude the Apocrypha than the language I have now extracted from that Reverend Gentleman's work? Will he venture to affirm that the Apocrypha is "*a lamp unto our feet and a light unto our path*?"—that it is "*a sacred*" as well as "*enjoined duty to search*" the Apocrypha?—that we are "*to read*" the Apocrypha "*by day*," and "*meditate upon it by night*," and "*teach it to our children*," and "*receive it with all reverence as the record of truth, and the guide to everlasting life*?"—that when we interpose to arrest the progress of the Apocrypha, "*we interpose to arrest the pure stream of heavenly light*?"—that when we attempt to impede the free course of Bel and the Dragon, and the other fables and falsehoods of the Apocrypha, we attempt to "*impede the free course of God's mercy, and to defeat his providential designs*?"—that the Apocrypha is not "*a miserable contrivance of human ingenuity to render the Scriptures more fit for their purpose*?"—that it is a "*presumptuous sin*" to withhold the Apocrypha?—and that it is only when we give the Apocrypha as we give the Bible, that we can be said to "*be upright, and innocent from the great transgression*?" Either these questions must be answered in the affirmative, which no man in Earl Street has courage to do, or it must necessarily be concluded that even Mr. Dealtry, a vehement defender of the Committee, aye and until the 21st November 1825, and a zealous protester against their purer measures adopted at that date, had not the shadow of a doubt that the fundamental law excluded the Apocrypha, and that it did not admit of

that difference of interpretation to which your Lordship has been pleased to direct our attention, as at once an indubitable fact and a valid plea.

Let me also give your Lordship the evidence of Dr. Milner, the late Dean of Carlisle, who wrote and spoke ably in support of the Bible Society, and was one of its Vice-Presidents. In the speech which he delivered in 1811, at the formation of the Cambridge Auxiliary, he said :

“ We do our utmost to distribute the authorized version of the Bible, unaccompanied with any other book, throughout the world, in the language which the inhabitants of the respective nations can understand. This is the sole object of the Society to which we belong.”

There is an authorized version of the Bible, and there is also an authorized version of the Apocrypha. But the two things are totally distinct. “ The Holy Bible” contains the Old and New Testaments, and of neither of these does the Apocrypha constitute any part. The Apocrypha is a book by itself, out of which, according to the articles of that church of which Dr. Milner was a Dean, nothing is to be taken “ to establish any doctrine,” while the Old and New Testaments are the only sources to which we are to apply for Divine truth. If therefore “ the authorized version of the Bible” is united or mixed up with the Apocrypha, the Bible is, in that case, “ *accompanied with another book*,” and that is plainly inconsistent with “ *the sole object of the Society*,” whether the circulation in which it engages is throughout Great Britain, or “ *throughout the world*.” Indeed, the Society has itself given an interpretation of this phrase, “ the authorized version,” which seems to set the matter at rest. For it has never circulated the Apocrypha in this country, though in this country it was to circulate the authorized version of the Holy Scriptures. And, besides, Dr. Milner speaks of the Bible which the Society is to send abroad, as the Bible which the Dissenters conscientious-

ly appeal to as *their* doctrinal standard in matters of faith and duty, and the Dissenters reject the Apocrypha.

I refer to the Rev. Mr. Cunningham of Harrow on the Hill. Will your Lordship have the kindness to ask him, if, in writing his excellent Reply to Mr. Maltby, in 1812, he had any the faintest conception of the Apocrypha forming a part of the Bible that was to be circulated by the British and Foreign Bible Society? Such a conception is belied by the whole strain of his publication, and at express variance with many of the arguments and illustrations which it contains. That the Scriptures are designed to be generally circulated, he infers, *first*, from the fact, that “*God himself gave these Scriptures to us without any restriction upon their general use.*” But is the Apocrypha a part of the Scriptures which God has given us? He infers it, *secondly*, “*from the manner of using the Scriptures in the Jewish church.*” But did the Scriptures, as used by the Jews, contain the Apocrypha? He states, *thirdly*, that “*the design of God, as to the universal diffusion of the Scriptures, may be inferred from the use made of them by Christ himself.*” But did Christ ever make any use of the books of the Apocrypha? And is not this one of the very reasons why these books are rejected as uncanonical? He adds, *finally*, “*That the Scriptures were to go forth in their integrity to the people, is established by the express declaration of God.*” But has God expressly declared that any Apocryphal writings are to go forth to the people with this sanction? Or is it consistent with the “*integrity*” of the Scriptures that they should be associated and intermixed with fabulous stories and false doctrines? And when Mr. Cunningham contended with Mr. Maltby about the Bible that was to be circulated by the British and Foreign Bible Society, was it not distinctly understood between them that this Bible excluded the Apocrypha? Did not Mr. Maltby speak expressly of “*the sixty-six books which form the*

contents of *the Old, and New Testaments*," these being all the canonical books? And did not Mr. Cunninghame, in reasoning upon those parts of the Bible which his antagonist was for leaving out in the circulation, and upon those parts which alone his antagonist deemed fit for that purpose, confine himself entirely to the *sixty-six* canonical books, and not even glance at any thing of an Apocryphal description? If necessary, I could quote from Mr. Cunninghame many passages of the same import, all concurring to prove that in defending the Institution of which he was so early, so able, and so zealous an advocate, he uniformly proceeded on the supposition that the Bible which it circulated was the pure unadulterated Word of God.

Several years ago, an "Analysis of the System of the British and Foreign Bible Society" was composed by Mr. Dudley, one of its accredited and paid agents, published with the encouragement, and under the sanction of its leading Directors and friends, and appealed to, like Mr. Owen's History, as a work of standard authority on the subject of which it treats. I lay the following passage before your Lordship, as containing the judgment, not merely of the individual author, but of all those, and they were not few, who gave it their patronage.

"If the circulation of any uninspired production, however excellent, was included in this object, a difference of opinion must necessarily exist, and doubts and difficulties impede the progress of the Society; but, in restricting it to the dissemination of the Sacred Volume alone, and embracing the world in its sphere of action, it asserts no common claim on the support of all who believe the Bible to be a revelation from God."

Mr. Dudley evidently excludes from the object of the Institution "the circulation of *any uninspired production*, however excellent." By speaking of its "claim on the support of all *who believe the Bible to be a revelation from*

God," he as evidently throws out the Apocrypha, which undoubtedly is no part of Divine Revelation. And when he mentions the Society as not only restricting its purpose to "*the dissemination of the sacred volume alone*," from which he banishes all uninspired productions, and which he describes as "*a revelation from God*," but also as "*embracing the world in its sphere*," it is beyond controversy that to prevent a "difference of opinion" from existing, and "doubts and difficulties from impeding the progress of the Society," the Apocrypha was just as strictly interdicted by the law from being sent to the continent of Europe, as it was from being dispersed throughout Great Britain.

I conclude this detail with calling your Lordship as a witness. The British and Foreign Bible Society had not existed long when it experienced your warm and liberal support. You contributed to its funds: you wrote in its behalf: you delivered many a speech in praise of its excellence: you took much personal trouble in promoting its welfare. Now, let me ask, if, amidst all the attention you paid to its constitution, and all the consideration you gave to its merits, it ever once occurred to your Lordship as a possible case, that the Apocrypha could be circulated consistently with its fundamental law? Could you have conceived that any man in the least degree acquainted with it, would gravely propose to send forth that fabulous and heretical production as a constituent part of the Bible? Did you ever imagine that there was a person in this country, possessing a sound mind, who could represent its original statute as admitting of the circulation of uncanonical along with canonical books, and leaving the Committee at liberty to give the Catholics, Greeks, and Lutherans, not the Scriptures, which constitute "*the pure and uncorrupted Word of God*," but the Scriptures with as much adulteration as these various denominations of Christians might respectively de-

sire to have? I should offer an affront both to your understanding and your religious character, if I supposed that your Lordship would not give a negative reply to every one of these queries. I feel confident, that from the first moment of the Society's existence, down to the present, you have had but one unaltered and unalterable idea on the subject, namely, that the Society had no other design than to circulate the mere, pure Word of God; that its regulations were framed not only in such a manner as to prevent, but for the very purpose of preventing, the circulation of any thing else; and that as it interdicted notes and comments, which are not employed to vitiate the divine record, and pretend to be nothing more than human opinions, it must, *a fortiori*, have interdicted the Apocrypha, which falsely pretends to be a revelation from heaven, and which, though full of lies, and contradictions, and absurdities, is mixed up with the oracles of truth—taking their name, assuming their authority, and claiming the faith and submission which are due to them alone.

Considering the character of the individuals to whom I have now referred, the circumstances in which they were placed, and the explicitness of those declarations which they have so often and so solemnly made, I might hold myself relieved from any obligation to do more in order to prove that a "difference of interpretation" is altogether imaginary or fictitious. But as the allegation has been so frequently made, and as it is now so confidently put forth under your Lordship's sanction, I feel it necessary to go a little farther, and to give a still more ample demonstration of its utter groundlessness and absurdity. Let us now, therefore, ascertain what the London Committee knew, and announced, and did in their collective capacity, as illustrative of the import of the fundamental law.

Under this head I may mention the Circular which was issued previous to the formation of the Society, because it was prepared and sent out by the very men who, from the active share they had taken in the business, and their fitness for carrying the plan into effect, were the very first that were appointed to the management of the Society. This circular, after stating the object of the Society to be the promotion and circulation of the Scriptures, and the sphere of its operations to comprehend "*the European continent*," goes on to say,

"The projected Society, not refusing to co-operate on the same ground, would traverse scenes which other Societies are, by their regulations, forbidden to occupy; and, presenting nothing but the inspired volume, would be sure to circulate truth, and truth alone, thereby avoiding the occasions of controversy, and opening a channel into which Christians of every name might, without scruple, pour their charitable contributions."

Now, my Lord, here is an explanation of the intentions and views of those who gave birth to the Society, who framed its laws, and who both appointed, and in a large measure constituted, its first Committee. And what does it amount to? The Society is "to promote the circulation of the Scriptures,"—the Scriptures which it is to circulate are defined to be "*the inspired volume*"—by confining its circulation to these, it will be "*sure to circulate truth and truth alone*,"—and it is to do so not merely in Great Britain, but on "*the European Continent*."

Can any ingenuity contrive to thrust in the Apocrypha here without attaching to it the honour of truth and inspiration? Or can it, without doing violence to all that we are accustomed to hold sacred, be pleaded that any exception is made, or any privilege granted, in favour of spurious Bibles getting into the *Continent of Europe*?

Well, the Society was formed, and its laws were promulgated in accordance with the circular which bespoke

the public attention and regard for it. And as soon as the Committee had leisure to begin their operations, they published a Prospectus, in which the reasons, object, and principles of the Society are distinctly stated. The *reasons* are, the prevalence of ignorance, *superstition*, and idolâtry, &c. The *exclusive object* is, to diffuse the knowledge of the holy Scriptures, and this not only in the languages of great Britain and Ireland, but also "in *foreign languages*." And of the *principles* of the Institution we have the following account.

"The *principles* upon which this undertaking will be conducted, are as comprehensive as the nature of the object suggests that they should be. In the execution of the plan, it is proposed to embrace the common support of Christians at large; and to invite the concurrence of persons of every description, who profess to regard the Scriptures as the proper standard of faith."

Here again the Scriptures are to be sent to foreign parts, as well as distributed at home. But then they are not such Scriptures as the Greeks or the Papists are in the habit of venerating—but the Scriptures to the circulation of which "*the common support of Christians at large*" in this country might be expected. They are the Scriptures which those who formed the Society, and those who are called upon to support it, "profess to regard as *the proper standard of faith*." And it is for the circulation of these Scriptures, and of these alone, that the Committee solicit aid "*in the execution of their plan*." What room, I ask your Lordship, is there in this statement for even a chapter of the Apocrypha, in *foreign languages*, any more than in the languages of Great Britain and Ireland?

I have already (p. 13.) quoted Lord Teignmouth's views, as he expressed himself in the Report which he delivered at the Annual Meeting in May 1810. But I must beg to remind your Lordship, that while the President spoke in such explicit terms of the design and laws of the Society, and may be justly considered as having

stated his own individual sentiments—what he said was a part of the Committee's Report, drawn up as a detail of their proceedings, and afterwards published by their authority, and in their name, for the information of their constituents. I need scarcely, a second time, record the language that was used. But I wish it to be distinctly remembered, that the *Committee* spontaneously and freely declared in the year 1810 what they had declared in the year 1804;—that “the institution was founded on a principle so *simple*, so *intelligible*, and so *unexceptionable*, that persons of every description who profess to regard the Holy Scriptures as *the proper standard of faith*, may *cordially* and *conscientiously* unite in it;” and that it “*secures an adherence to the integrity of its principles*, by regulations so precise and defined as not to *admit of dubious interpretations*.” I wish it to be distinctly remembered, that this is the deliberate, and registered, and avowed judgment of that very Committee which soon afterwards circulated apocryphal writings as a part of the Bible, and in whose favour your Lordship is pleased, with many others, to plead that a “*difference of interpretation*” prevailed in it.

Many extracts may be given from subsequent Reports of the Committee, which speak the same language, and clearly show that, *if we are to believe their own word*, they continued to entertain the same opinion which they originally proclaimed down at least to the year 1823. But as I shall have occasion to notice these in a future part of my detail, I shall not trouble your Lordship with them at present.

The conduct of the Committee for the first four years of their existence, corresponded exactly with the views now given. I do not mean to say that they never gave assistance to Societies abroad for circulating the Apocrypha during the period now mentioned. But I do mean to assert, that, if they did so, it was without being

aware of the Apocrypha holding a place in the books distributed by those Societies, without having their attention called to the practice, or without giving any express sanction to it. It has been alleged that they followed such a course; but it has never been proved that they followed it knowingly and intentionally. Nor have any members of the Committee come forward to make this averment, although there are several who must recollect all the circumstances of the case, and although it would have been a material part of their vindication to mention and testify the fact. I should be glad that those, if there indeed be any, who have it in their power to give us the information, would not be so unkind as to withhold it, because, though I have a most satisfactory answer in reserve for such a plea, it would be very convenient to have the matter put to final rest. But till some of the members of Committee themselves think proper to give evidence, I shall not pay much regard to all that Mr. Venn and others are pleased to allege on this branch of the subject, and shall continue to maintain, that, for many years after the commencement of the Institution, the Committee were not conscious of imparting aid for the circulation of the Apocrypha or of spurious Bibles, even when aid, which eventually went to that purpose, was formally granted by them.

Your Lordship does not need to be told of the scrupulous care with which the Committee adhered to the object and the law prescribed to them. They refused positively and obstinately in Oct. 1804, to grant some Catholic New Testaments to a clergyman in Sweden, though the version was ascertained to be a good one, thus "guarding," as Mr. Owen said, "against being carried away by their best feelings, and by the tempting prospect of an immediate good, so as to adopt a measure which might, by however forced a construction, be interpreted into a violation of the letter, or the spirit of their

regulations." And if they refused a good sound Catholic version of the *New Testament*, in order that they might keep strictly by their regulations, could they consider it as consistent either with the spirit or the letter of these, to grant money for disseminating apocryphal additions to the *Old Testament*, and thus corrupting what the Society had pledged itself to maintain in purity?

About the same time, as Mr. Hughes stated at the Cambridge meeting in 1811, a Mohawk chief, a gentleman of high respectability, then resident in England, presented the Committee with a translation of St. John's Gospel; but observing a brief preface, intending to recommend the perusal of the book, they cancelled the leaf which contained it, and sent forth the Evangelist without even a word of encomium. And after seeing this excess of scrupulosity, if we may so speak, in cutting off a few lines which made no pretensions to be on a footing of equality with the Gospel of St. John, we are required to believe that the Committee did actually, with their eyes open, help, by pecuniary donations, the circulation of fourteen books of human composition, as possessing the same title and the same authority with the word of God, and all the while supposed themselves acting agreeably to the principle and law of the British and Foreign Bible Society!

On another occasion, the Committee, when solicited by a respectable Society in the north of Europe, to grant pecuniary aid for publishing a *Harmony of the Gospels*, refused the request of their foreign brethren, because they conceived that the circulation of a *Harmony* would ill accord, if not with the *letter*, at least with the *spirit* of their laws; and yet while they were refusing this upon the ground now stated, while they refused to allow one part of the canonical books to be intermingled with another, in order to make out a continuous narrative, we must give credit to the hypothesis, that the same Committee were advisedly abetting the intermingling of

a volume of impudent forgeries with the sacred oracles of God, by the permission of the British and Foreign Bible Society!

Really, my Lord, the friends of the London Committee must think us very credulous and weak, when they urge upon us such monstrous absurdities, and expect that we are to receive them for sober truths and convincing arguments.

As soon as the minutes of the Committee begin to speak of the Apocrypha, it is in the way of excluding it from circulation. In 1810, Nov. 10, the Committee agreed to omit the Apocrypha annexed to the Oxford Septuagint, of which they sent 50 copies for the establishment of a library in the Bibliotheca Biblica at Calcutta, for the sole use of the translators of the Holy Scriptures: thus cancelling the Apocrypha in Bibles which were not only printed in a dead language, but were intended to be used in making versions into the different tongues and dialects of the East.

In the same year the Foreign Secretary of the Evangelical Society at Stockholm wrote to the Committee in London that the Old Testament in Swedish would be more speedily completed, because they "*intended to leave out the Apocrypha*," which shows either that they had understood the rules of the British Society to exclude it from their operations, or that the London Committee had given them instructions to that effect. And the Apocrypha was left out.

We find also that in reprinting the German Bible from the Halle edition in 1811, the Committee agreed to omit the Apocrypha.

The Icelandic Bible, too, which was printed at Copenhagen, and begun in 1811, though not finished till 1814, had not the Apocrypha. And why? Not because there was any direction given to omit it on account of special and peculiar circumstances—that never was pretended—but merely because the Apocrypha formed no part of those

Scriptures which alone the British and Foreign Bible Society agreed to circulate, or to assist in circulating.

On January 13, 1812, the Foreign Secretary, Mr. Steinkopff, stated to the Sub-committee, that the Bohemian, and various editions of the German Bible, "contained prefaces and glossaries, with the Apocrypha." Now, there is in this a decisive proof that the Committee,* so far from having actually engaged in helping forward apocryphal circulation, had been perfectly ignorant of the editions of the Scriptures, to which they had given aid, containing the Apocrypha. For, let it be observed, that the Apocrypha is here classed with "prefaces and glossaries." *Prefaces and glossaries* had been added to the Bohemian and German Bibles referred to. The Committee did not know of these, otherwise they must have long before procured their suppression, because it is admitted on all hands, that *prefaces* and *glossaries* were clearly disallowed by the fundamental law. But if the Committee did not know of these, how should they have known of the *Apocrypha* being annexed or intermingled? They were first made acquainted with the fact, it appears, in January 1812; and on being made acquainted with the fact, they "resolved that the Secretaries be requested to address a letter to the different Societies on the Continent, stating *the necessity of carrying into effect the fundamental law of the Society, relative to the printing and publishing the Scriptures, without note and comment.*" This resolution undeniably refers to the whole of the Statement made by the Foreign Secretary. It does not leave out the *Apocrypha*, and specify merely *prefaces* and *glossaries*. It points out none of the three by name. But it sweeps away the whole, by appealing to the fundamental law, and insisting on a strict adherence to its

* The Committee having confirmed what was done by the Sub-committee, they are spoken of as, on this occasion, one and the same body.

enactments:—"the Scriptures, without note or comment," being thus explained by the Committee in 1812, to exclude the Apocrypha, and every thing else but the pure Word of God. And that nothing may be wanting to complete the demonstration, I have to add, that immediately after the Committee learned from the Society at Konigsburg, that, if the Apocrypha were kept out of the Lutheran Bible, the edition would be unacceptable, they instructed Mr. Steinkopff to "urge the omission of the Apocrypha" during the continental tour which he was then about to undertake. This was done, not because any person was pressing upon them with doubts and scruples which they deemed groundless but were desirous to humour, but because they themselves were unanimously and clearly of opinion that the fundamental law of the Society was decidedly hostile to apocryphal circulation, and prohibitory of it, and because they could not discharge their duty to their constituents, without endeavouring to prevent or remedy such an abuse.

It is very true, the Committee on June 7, 1813, resolved, "that the manner of printing the Holy Scriptures by the Foreign Societies be left to their discretion, provided they be printed without note or comment;" and that towards the close of the same year they granted pecuniary aid to the Moscow Society, whose principal object was to print for distribution in Russia the Slavonian Bible, which mingles indiscriminately the Apocrypha with the Canonical Books, and embraces two books more than the Roman Catholic Bible contains. This is all true; but the Committee did not act thus, because they conceived the law to have any dubiety in it; for they never till now pretended that they had any such liberty as this implied, and it was only a year or sixteen months before that they had acknowledged it in their own minutes, and by their own proceedings towards Foreign Societies, to be illegal and inadmissible. And no other

ground for their change of conduct appears upon record than certain *prejudices* on the part of some Institutions abroad, with which they did not choose to struggle much—certain *difficulties* in getting pure Bibles circulated so extensively as was desirable in some parts of Russia, Sweden, and Prussia—certain views of *expediency* which were preferred to convictions of duty, that had been long established, distinctly minuted, and actually reduced to practice.

It is true that the Committee went on giving liberal grants for the circulation of spurious Bibles; but it is also true that they never professed nor hinted at any change in those views of the principles and laws of the Society which they had formerly entertained; that, on the contrary, they continued in their speeches and other communications with the public to hold up the object of the Society as confined to the circulation of the Word of God; and that in their Annual Reports they spoke of the Scriptures which they were disseminating at home and abroad as the “*charter of salvation*,” God’s “*Holy Word*,” and that “*Divine Revelation which an all-merciful God designed for the whole human race*.”

It is true that, in 1819, the Committee not only gave money for the circulation of the Apocrypha by Foreign Societies, but did themselves print Roman Catholic Bibles in Italian, Spanish, Portuguese, and French, having the Apocrypha intermixed according to the decree of the Trentine Council, and each of the four editions amounting to 5000 copies; but it is equally true that they still abstained from all allusion to any thing like a doubt of the meaning to be attached to the fundamental law, and still proclaimed through the medium of their Reports, that the Society was a pure Bible Society—expressing themselves in the following emphatic terms:

“They would lose sight of an important duty, if they did not begin by inviting the members of the Society to concur with them in

acknowledging their renewed obligations to *that God whose word it is their professed and exclusive object to circulate.*"

"The members of this Institution may indulge the gratifying assurance that it has operated most opportunely and beneficially in repelling these aggressions on human happiness. It has opposed to them the united testimony of a host of witnesses, *proclaiming their belief in the Divine authority and inspiration of the Holy Scriptures.*"

"The British and Foreign Bible Society, in its endeavours to demolish the strongholds of *idolatry and superstition*, can employ only *the Sword of the Spirit.*"

"The labours of the Society are *exclusively* directed to *one* object, to communicate, in the widest extent possible, that which is *the common property of all*, the code of *Divine Inspiration.*"

It is true that, from the year 1813 to the year 1822, the Committee circulated the Apocrypha in its worst forms, and with great zeal, and to a great extent. But it is no less true that during all that time they never whispered a surmise—never breathed a suspicion—far less recorded any opinion that the law, which they were appointed to execute, was capable of such an interpretation as to justify or warrant that course of procedure which they had adopted—that they ceased not in every possible way to impress upon the public the superior excellence of the Society as consisting in the simplicity and purity of its object—and that so conscious were they of their Apocryphal practices being inconsistent with the law which they had undertaken to administer, that they carefully and industriously concealed it from the Christian community. This last-mentioned circumstance is, of itself, sufficient to show that the Committee were quite aware of the real import of the law, and had no doubt of its being perfectly inimical to Apocryphal distribution. Had they thought, contrary to the opinion of Lord Teignmouth and the Committee of 1810, that it admitted of dubious interpretations, and might be fairly construed as permitting the circulation of the Apocrypha, it is impossible to doubt that they would have done the thing openly, acknowledged the practice, and stated the rea-

sons by which they were guided in adopting it. But instead of this they acted as guilty persons. They did one thing, and they professed another. The measure they adopted in 1813 was, beyond all question, an innovation of the most important kind, and yet they kept it a profound secret from those who had the best of all titles to be informed of it. They were so afraid of its coming to the knowledge of the public, that they withheld those portions of their correspondence which would have led us to suspect and to inquire into what was going on. And so great was their apprehension of our making the discovery, that they continued to speak of what the Society circulated in the same terms as they used from the beginning; though, at first, as every one knows, there was nothing circulated but the pure and uncorrupted word of God, and afterwards the books which the Committee sent forth in the Society's name, were vitiated with the companionship or intermixture of those lying productions which the Church of Rome impiously decreed to be constituent parts of Revelation. Can it be, my Lord, that the Committee should have stooped to such unworthiness as this for the purpose of concealment, if they had not been thoroughly convinced that their new mode of fulfilling the trust reposed in them was a violation of the fundamental law, and that the very first intimation of it would have raised, as it eventually did, a universal feeling of displeasure and opposition in those whose money they were thus wasting, and whose confidence they were thus betraying?

It appears then, that down to the year 1820 at least, there was no difference in the Committee as to their mode of interpreting the fundamental law. They uniformly considered that law as prohibiting them from circulating any thing but *the code of Divine inspiration*, which is the language of their Report for 1823. And I challenge your Lordship to produce a single instance of their having

entertained any other view of the matter, except what you may infer from that very violation of the law which we affirm they committed in spite of their convictions, or to point out one feature of ambiguity in the terms of the original statute, and its accompanying explanations, by which a man of ordinary judgment could be puzzled or misled.

Some of the defenders of your Committee have suggested, that we argue as if the Committee had been the same from the beginning of the Society; but that it was not so, and that the changes which it underwent as to membership, in the progress of years, may have been attended with changes in the opinions which actuated its majorities at different periods. Your Lordship will permit me to place this circumstance on its proper footing.

Whatever changes may have taken place in the Committee as to the individuals who composed it, I have shown that the sentiments held by the Committee on the meaning of the fundamental law, continued fixed and invariable. And this being the case, the greater the variety introduced by the introduction of new members, the stronger does my argument become. But in truth the changes were not so great as many people imagine. Your Lordship is aware that according to the rules of the Society, there is not, as in most other Committees, a certain number annually going out, and an equal number annually coming in by rotation. Any member, by calling pretty regularly at the room, and getting his name inserted in the sederunt, may walk away again, and still secure his place as a member of the next year's Committee.

Now in point of fact, a *third* part of the Committee of 1804 were in the Committee of 1813; and a *fourth* part of them were in the Committee of 1819. And in all these cases there was the same President; several of the Vice-Presidents were the same; the three Secretaries were the same; the Treasurer was the same; the Assist-

ant Secretary was the same, &c. The Committee of 1810 told us in their Report, that the Scriptures which they circulated were *the proper standard of faith*, and that their regulations were so precise and defined as *not to admit of dubious interpretations*: and yet of that Committee 22 members were on the Committee of 1813, which allowed the Foreign Societies to circulate the Apocrypha, with money given them from the funds of the British and Foreign Bible Society, according to their discretion, and 19 were in the Committee of 1819, which set about printing in London, with the same funds, editions of the Italian, Spanish, and Portuguese Scriptures, with the Apocrypha intermixed for the use of the Roman Catholics; and in both these last years the President, several of the Vice-Presidents, the three Secretaries; the Assistant Secretary, and the Treasurer, were the same that they had been in the year 1810. Now, my Lord, I have to inform you, that of the Committees of 1813 and 1819, who acted as I have just described, there were of the former 17, and of the latter 22, (besides almost all the office-bearers formerly mentioned,) who were members of that Committee in 1823, which proclaimed in the Annual Report, that “the British and Foreign Bible Society, in its endeavour to demolish the strong holds of *idolatry* and *superstition*, can employ *only the sword of the Spirit*,”—and that “the labours of the Society are *exclusively* directed to *one* object, to communicate in the widest extent possible that which is the common property of all, the *code of Divine Inspiration*.”

I could give many more details and calculations of the same kind. But enough has been adduced to establish the identity of the Committee throughout the whole course of its existence, speaking not formally and technically, but in such a way as to render the inference which I draw substantially fair and just. And the inference which I draw is this, that the changes of membership which took

place in the Committee, were never such as in the least degree to affect their collective opinion, or to make any difference in their interpretation of the fundamental law. From first to last they conceived themselves entitled by that law to circulate nothing but the pure word of God. To the execution of the law thus understood, they adhered with the most scrupulous exactness for a series of eight years. Having discovered in 1812, that it was not observed by some of the Societies abroad whom they were assisting—these Societies publishing the Bible with Prefaces, Glossaries, and *the Apocrypha*—they addressed a letter to them remonstrating against this, and “*stating the necessity of carrying into effect the fundamental law of the Society.*” When there was a demur to this in certain quarters abroad, they instructed the Foreign Secretary to *urge the omission of the Apocrypha* during his continental tour. They did, indeed, go into the practice in 1813; but it was clearly in contradiction to their resolution of the previous year, and in mere conformity to the dictates of expediency, or because some foreign institutions told them, that so much good could not be accomplished in the one way as in the other. This new mode of acting, however, they were afraid to divulge to their constituents, well knowing that it would create universal surprise and dissatisfaction. And they continued, in all that they said or printed on the subject, to make the country believe that they were literally faithful to their trust, and circulated nothing but the inspired volume. In 1804 they declared, in order to get *the common support of Christians*, that their *exclusive* object was to diffuse the knowledge of *the Holy Scriptures*, by which they expressly said, we were to understand *the proper standard of faith*. In 1810 they repeated the same phraseology, with an explicit reference to the peculiar clearness and intelligibility of the regulations by which they were governed, in following out that purpose. And in 1823 they were as strong

and explicit as ever in averring the singleness of their design and the purity of their operations, telling us through the medium of their Annual Report—a Report which was read at the public meeting by the Rev. Mr. Dealtry, and the receiving and printing of which was moved by your Lordship—that they employed “*only the sword of the Spirit*” for demolishing idolatry and superstition, and that their *one exclusive* object was to communicate the “*code of Divine Inspiration.*”

That different modes of interpreting the fundamental law did latterly prevail, I readily admit. But I deny that they existed till the Institution was 16 years old. And I may say without presumption, that I have proved the very contrary to the satisfaction of every candid mind. Differences of interpretation were only resorted to after the practice of Apocryphal circulation was detected, after it was gravely challenged, after it was made a ground of serious accusation, and after a case was made out which called upon the Committee to justify or to excuse their conduct. It was then that we first heard of the law being so construed as to apply equally to a *Bible Society*, and to a *Bible and Apocrypha Society*. Before that era, every subscriber counted on his money going to circulate the pure Scriptures, the unadulterated Word. And every subscriber was taught and necessitated to conclude that his money had that destination, from the language which was uniformly held to the world by the Committee, as well as from his own judgment of the principle and rule of the institution. The distribution of Apocryphal writings, which had been going on from the year 1813, was a clandestine transaction. It was begun, and it was persisted in, without the slightest pretence of its being legal. Those who engaged in it evinced their sense of its unlawfulness by the care and industry with which they concealed it. They never confessed it till it was found out, and they never pleaded the sanction of the law till they were

arraigned at the bar of the public, or were on the eve of being dragged before it, and forfeiting their reputation for honesty. Your Lordship, I hope, will be kind enough to explain how it was that the Committee made such a sudden transition from unanimity to difference of interpretation, and at the critical moment of their malversations being brought to light, discovered a meaning in the fundamental law so completely opposite to that which they had verbally and positively, privately and openly, ascribed to it in the whole previous course of their procedure as its interpreters and administrators.

Your Lordship will not be much assisted in the solution of this problem, by adverting to the opportunities which the Committee of 1821 had of becoming acquainted with the real merits of the question. Before they ventured to dogmatise on the meaning of the law, surely they applied for information to those who were best able to expound it, and used all the ordinary means of ascertaining its import. It seems so plain as not to require any such elaborate investigation; but since it was not thus clear to their comprehension, it was incumbent upon them to inquire. And if they did make the requisite inquiry, I do not see how it was possible for them—always supposing them capable of managing an establishment of no great complexity—to discover any ground at all for a difference of interpretation.

If they had asked Mr. Hughes, one of the Secretaries, and one of the founders of the Society, he would have told them that it was instituted to circulate "*pure truth, pure religion, pure morality*—to give the hungry multitude *the finest wheat, without chaff, and without tares,*" and that the same Bible was to be sent forth as that which was distributed by the Naval and Military Bible Society, and which does not contain the Apocrypha. If they had asked Mr. Steven, who was also one of the founders of the Society, and had been a member of the Committee

from the beginning, he would have told them, that when he and his friends established the rules, they never “meant the authorized versions of *other* churches; but that what they alone were anxious for was the conveying the *pure unadulterated word of God*, first to our own country, and afterwards to the *whole world*.” If they had asked Lord Teignmouth, he would have told them, that “the Institution was founded on a principle so simple, so intelligible, and so unexceptionable, that persons of every description, who profess to regard the *Holy Scriptures as the proper standard of faith*, might candidly and conscientiously unite in it,” that it “secured an adherence to the *integrity of its principles*, by regulations so precise and defined, as *not to admit of dubious interpretations*,” and that the Scriptures which the British and Foreign Bible Society circulated were the identical Scriptures which were circulated by the Society for Promoting Christian Knowledge, and which *have no Apocrypha*. If they had asked Mr. Cuninghame, he would have told them, that the Scriptures which alone they could legally and constitutionally circulate were the Scriptures which *God himself had given*—which were *used in the Jewish church*—which *Christ had referred to*—and which were to go forth in their integrity to the people, according to the *express declaration of God*. If they had asked Mr. Maçaully, he would have told them, that the Society was one to be supported by “all who regard the *Bible as the word of God*”—that it “offered an occasion to the Established Church, and to those who in some points differed from it, to provoke one another to love and to good works, by uniting hand in hand in the dispersion of that volume which they alike revered as the *word of God*”—and that it “constituted the *whole world* guardians of the *purity of the Scriptures*, by circulating them in every language, and naturalizing them in every country.” If they had asked Mr. Dealtry, he would have told them, with a solemn

appeal to the "Eternal God," that the books which alone they were entitled to circulate, were those of God's "*blessed word*"—the Scriptures which "*he had enjoined* men to search, to read by day, to meditate upon by night, and to receive with *all reverence as the record of truth*, as the guide to everlasting life,"—and that to endeavour to "render them more fit for their purpose, by the miserable contrivance of human ingenuity," was a "presumptuous sin," and a "great transgression." And as the Dean of Carlisle and Mr. Owen were gone, if they had consulted the memorials of their opinions on this subject, which these individuals had left behind them, they would have found the former declaring that "the object of the Society was to distribute the *authorized* version of the Bible, *unaccompanied with any other book, throughout the world*"—and the latter as distinctly declaring, that its exclusive business was to distribute a book which "*has God for its author, salvation for its end, and truth, without any mixture of error, for its matter.*"

Then again, if they had looked to the Circular and Prospectus which were issued at the commencement of the Society, in order to explain its object, and to procure public support, they would have found that "*truth, and truth alone,*" as contained in "*the inspired volume,*" was to be circulated—that all who "*regard the Scriptures as the proper standard of faith*" were asked to join the Institution—and that the *inspired volume, or the proper standard of faith*, was to be diffused, not only in the languages of Great Britain and Ireland, but also in "*foreign languages,*" and on "*the European continent.*" And if they had looked into the Annual Reports by which the Committee told their constituents how they were fulfilling the duties intrusted to them, they would have seen a series of declarations, bearing, that the object, and principle, and rule of the Society had been strictly adhered to, that nothing had been circulated but the pure and unadulter-

rated word of God, and that, employed as they were in giving to the world the authorized version of the Holy Scriptures, they expected the assistance and co-operation of all who professed belief in the inspiration of these Scriptures, and who took them as a Revelation from heaven.

And, by examining the minutes and proceedings of former Committees, they would have discovered various and decisive evidence of Apocryphal circulation being deemed quite unlawful. They would have discovered it by necessary inference in the case of the grant of New Testaments to a Swedish clergyman in 1804; in the case of the translation of St. John's Gospel presented by the Mohawk chief; and in the case of pecuniary aid being asked for publishing a Harmony of the Gospels in the North of Europe. They would have discovered it more clearly still in the Apocrypha being omitted by the Evangelical Society at Stockholm in 1810; in the Committee abstracting it from the Oxford septuagints sent to the library at Calcutta in the same year; and in their omitting it when reprinting the German Bible from the Halle edition in 1811. And they would have discovered it above all in the Resolution of January 1812, by which the Committee put it upon record that they considered the circulation of the Apocrypha, as well as of prefaces and glossaries, to be a violation of "the fundamental law of the Society," and instructed the secretaries to write to the different Societies on the Continent, insisting on the necessity of a strict adherence to the law in that respect; and in the Committee, on finding that some opposition was made to this, commissioning Mr. Steinkopff to urge everywhere the omission of the Apocrypha during his Continental tour on the affairs of the Society. Nay, they would have discovered it in the very circumstances attending that act by which the Committee did at length, in 1813, violate the law which they

were bound to execute ; for, as it appears from their own record, not only did they allege no change of opinion on their part as to the meaning of the law, but they evidently proceeded on the ground of those *difficulties* which were reported to them, and of the *expediency* which was pressed upon them, from abroad. And so conscious were they of doing an illegal thing in granting permission to those Societies on the Continent, whose funds they aided by pecuniary donations, to print the Scriptures in any manner, with or without the Apocrypha, as they pleased, that they durst not communicate to the public the slightest notice of this transaction ; but by precautions the most careful, and by deeds the most unworthy, they concealed it altogether from the knowledge of their constituents, and made them believe that the course of procedure regarding the books that were circulated continued precisely the same as it had been from the beginning.

But that the Apocryphal practice of the Committee was not owing to a difference in their interpretation of the law, is deducible from another fact in the history of the case. Their attention was turned to the subject in the year 1821, by persons who urged upon them weighty arguments and earnest remonstrances. To these they returned no satisfactory answer. But I suppose that they had given some serious consideration to what had been advanced ; for in August 1822, they came to a unanimous resolution on the point of Apocryphal circulation.

This resolution makes a very plain and remarkable acknowledgment as to the meaning of the law. The Committee carefully avoid saying what is their own interpretation ; but they confess what is of far greater importance,—they confess what is the interpretation given by the Society whose statutes they were appointed to administer. They say that “ the attention of the Com-

mittee had been called to the *fundamental rule* of the Society, as *limiting the application of its funds to the circulation of the Holy Scriptures*; and that it appeared that *this view of the said rule had been taken from the beginning by the great body of its members.*" *

Now then they had got an authoritative explanation of the law; and one might have expected that all dubiety, according to their own declaration, having been taken away, they would at once give up the Apocrypha, and return to the pure circulation. If their former mode of proceeding was owing to a wrong interpretation, then the right interpretation which they had received from those who alone had a title, and were best qualified to give it, should have been immediately followed by

* It will be recollected how gravely and dogmatically Mr. Simeon, Mr. Venn, and others, argued for the legality of circulating the Apocrypha, from the use of the term "Holy Scriptures" in the law of the Society. "Holy Scriptures," they said, being plural, comprehend the Apocrypha. We need no confession of the Committee to convince us that this argument is untenable and absurd. But were such a confession wanting, we have it in the language of the Resolution above quoted.

The Committee themselves, who had practically interpreted the "Holy Scriptures" to include the Apocrypha, and were interested in maintaining that interpretation to be the sound one, here employ the phrase as altogether exclusive of the Apocrypha. They were accused of having broken the law by circulating the Apocrypha, as if it had been a part of the Holy Scriptures. And in a resolution intended to pledge them to a correction of this error, and to be a guide to Foreign Societies, they state that "their attention has been called to the *fundamental law* of the Society, as *limiting the application of its funds to the circulation of the Holy Scriptures*;" and that "it appears that *this view of the said rule has been taken from the beginning by the great body of its members.*"

I mention this as one of the many instances of that infatuation which has all along beset the Committee and their defenders, both in their statements and their reasonings. After the acknowledgment made in the resolution of August 1822, respecting the import of the term "Holy Scriptures," as it occurs in the fundamental law, could any one have anticipated that men of ordinary judgment would attempt to vindicate the Committee by insisting that the "Holy Scriptures" did notwithstanding imply the Apocrypha? The inconsistency of doing so is palpable and gross.

an opposite mode of proceeding. But did they change their course? No, my Lord; they persevered in it. They came to a resolution which allowed foreign Societies, while they spent the funds received from London on canonical books, to spend their own funds on uncanonical books, and thus to bring out the same number of spurious Bibles as ever, the Apocrypha being either appended or interspersed as those Societies thought proper. Thus, your Lordship must perceive, that a difference of interpretation will not account for their former obliquities; for the difference of interpretation is removed, and still the obliquities are persisted in. The Committee continue to circulate the Apocrypha after their constituents tell them, that the fundamental law limits them to the circulation of the Holy Scriptures. And though individuals and Societies laboured by every possible means to prevail upon them to relinquish freely, and unequivocally, and wholly, what was in every person's estimation a contravention of the fundamental rule, they refused to yield; abandoned one resolution only to adopt another equally unsatisfactory with its predecessor; proceeded in this way for more than three years, still reserving a large portion of their forbidden traffic; and would not come to an abandonment of it, till they were absolutely driven to it by the voice of universal indignation.

Thus it must be obvious to all who are capable of judging of the present question, that while there was no difference of opinion as to the meaning of the fundamental law from the 1804 down to the 1821, there was still less reason for taking any other view of it than what had been taken all along, during the four succeeding years. For besides the manifold and irresistible evidence that the Committee must have everywhere met with against any interpretation in favour of the Apocrypha, there was all the additional evidence derived from the sense and

authority of the great body of their constituents, which they distinctly ascertained and explicitly acknowledged. And as they advanced in their agitation of the subject, the demonstration became clearer and stronger, in consequence of the sense of the country being more generally and more loudly expressed in opposition to their doings; so that after August 1822, at which period they gave their first decision on the question, they had not the shadow of a pretext for any difference of interpretation, nor the shadow of an excuse, on that ground, for adhering to their Apocryphal practices.

Your Lordship has told us that the Committee, "with the most anxious labour and indefatigable perseverance, endeavoured to go to the bottom of the question." And was the question so deep as to require such mighty efforts to fathom it? Were the gentlemen who underwent all this toil so unequal to the task as to need four long years for its accomplishment? Could they not discover, within a shorter period, whether the British and Foreign Bible Society was instituted to circulate the Bible alone, or the Bible and Apocrypha together? Did they get no assistance in their inquiries from Mr. Hughes, and Mr. Steven, and Mr. Dealtry, and Mr. Cunninghame, and Mr. Macaulay, and Lord Teignmouth, and Lord Bexley, all of whom had pledged themselves to the public once and again for the fidelity of the Society in circulating nothing but the proper standard of faith, the Word of God, the inspired volume? Could they not do with less than four summers, and as many winters, to peruse the Annual Reports, and inspect the minutes of their own proceedings, that they might learn from these, what these teach so plainly, how very far they departed from the prescribed path of duty, when they engaged in the distribution of spurious Scriptures? Were they deaf to the remonstrances of the Christian community around them? Or did they forget what they themselves confessed and

recorded on August 19, 1822? Or could they consider it as of no moment to be told by the great body of their constituents, whose servants they were, and whose will they had undertaken to execute, that the money intrusted to their care was to be expended in promoting the circulation of nothing but the Holy Bible, and that not a farthing of it should be applied to the circulation of the Apocrypha? Really, my Lord, I cannot see how these questions can be answered so as to consist with the exculpation of the Committee, or with your Lordship's theory of their conduct. That their "discussions" were "tedious," is as wonderful as it is true;—that they were "painful," I can easily understand, for nothing can be more painful than to struggle against conviction;—and that they were "conducted with Christian charity, and with mutual kindness and respect," I am bound to believe, since your Lordship has asserted it. But it is melancholy to see such a body of men shutting their eyes so resolutely against the light of truth—contradicting their own solemn and oft-repeated averments—torturing the plainest language to wrest from it a meaning which they knew its authors to abhor—inventing for their vindication a theory which stands condemned both by argument and fact—pretending to put an interpretation upon the law, as if it favoured or admitted Apocryphal distribution, at the very moment that the Society, whose law it is, tells them that its just and only interpretation is the very reverse of what they maintain, and actually excludes Apocryphal distribution—and continuing for years to insist upon that pretence, and to act upon it, though the Society continued with a louder and yet a louder voice to denounce their transgression, and recall them to their duty.

Your Lordship divides the Committee into two parties, "those who absolutely condemned the circulation of the Apocrypha in all cases, and *those who contended for the*

propriety of admitting it to a certain extent, and for certain purposes."

If we are to judge of the extent to which those who advocated Apocryphal circulation were desirous to carry their practice, from the course and history of their actual proceedings, we must conclude that they were for being invested with an unfettered discretion; for they did in fact, from the year 1813 down to 1822, give the Apocrypha, appended to the Bible, or interspersed with it, everywhere and invariably, to Protestants, to Catholics, and to Greeks. I am not aware of one Continental Society, formed or assisted by the Committee, which did not distribute the Apocrypha: Nor of a single grant of Bibles, proceeding from them, which did not contain the Apocrypha in one shape or other: Nor of the least pecuniary donation, voted by them, which might not be applied by their foreign correspondents to Apocryphal purposes. I am at a loss to understand what your Lordship means by "*a certain extent.*"

I shall, however, suppose the import of the phrase to be that the Committee (for the members alluded to most unquestionably constituted the majority,) contended for circulating the Apocrypha as far as the Bible could not be circulated without it: And when to this, we add, what your Lordship says about "certain purposes" which it was to subserve, and the members differing "as to the most efficacious *mode* of distributing the Word of Life," I think we may justly infer that, as the law was alleged to admit of Apocryphal circulation, so this circulation was deemed right and justifiable as a means of procuring a wider and more effectual diffusion of the Scriptures than they could otherwise have obtained. To this view of the subject permit me now to address myself, in order to show that, as applied to the justification of the Committee, it is altogether unsound and unavailing.

The operations of the Society embrace two things—That which it is to circulate, and That by which the circulation is to be effected. That which it is to circulate is the Holy Bible—the inspired volume—the proper standard of faith—the pure and uncorrupted Word of God. But the Apocrypha is no part of the Book which is known or which was understood by these names and designations. And, therefore, when the Committee united the Apocrypha with that Book, and sent them thus united among the nations, they did not circulate that which, alone and exclusively, they were appointed and had undertaken to circulate. They circulated something else. And consequently when they speak of the Apocrypha being merely instrumental in circulating the Bible, they are chargeable with obvious sophistry. For granting that the circulation of the Bible is the end, and the circulation of the Apocrypha the means, yet they have confounded the means with the end, and, whether the Apocrypha be ranked under the one or the other of these heads, still with respect to the manner in which they have employed it, it is plainly forbidden by the law of the Society, which it was their duty faithfully and strictly to administer.

We have their own authority for representing the subject in this light. In a Circular which they put forth in the year 1820, and addressed to the Bible Societies of Germany, Prussia, and Switzerland, they explain in the most intelligible and unambiguous terms the precise writings to which their distribution was limited, hinting at the other writings which they made use of instrumentally and subordinately.

“The object of the British and Foreign Bible Society,” says this paper “is to disseminate the *Word of God, as contained in the Scriptures of the Old and New Testaments*, without note or comment, in various languages and dialects.”—“A grand total appears of 3,680,000 copies of the *Sacred Records of our Holy Religion*, which, as an incor-

ruptible seed, have been disseminated in the vast field of the world. "The British and Foreign Bible Society owes its present prosperity, next to the blessing of the Most High, to the simplicity of its object, and the zeal, fidelity, and perseverance, with which that object has been pursued; and we respectfully solicit our fellow labourers and friends, never to deviate from the plain and avowed object of all Bible Societies, the circulation of the Holy Scriptures without note or comment. "As a Bible Society, it stands entirely independent of every other Institution, nor does it consider itself in the smallest degree responsible for any act which may be done by other Societies or individuals; and it begs leave most distinctly to state, that with the only exception of the Historical Records of its transactions, (such as its Annual Reports, Extracts of Correspondence, &c.) it confines itself exclusively to the translation, printing, and circulation of the Holy Scriptures."

From this account, it appears that there are two kinds of writings circulated by the Society. Besides the Holy Scriptures; which the Circular declares it is the exclusive object of the Society to translate, print, and circulate, there are, as subsidiary to that object, "*the Historical Records of its transactions.*" And there is nothing else either mentioned or alluded to. Every thing else, indeed, is clearly excepted and excluded.—Now, surely the Apocrypha forms no part of the Records of the Society's Transactions. These are published and distributed, as being highly useful if not absolutely necessary, for making the Institution sufficiently known, and procuring adequate support to it, and preparing for the reception of those blessings, which it proposes to communicate. But the Apocrypha is not so published and distributed. It does not belong to the "*Annual Reports,*" or to the "*Extracts of Correspondence,*" or to any other particular that can be ranked under the title of the "*Historical Records of the Society's Transactions.*" It has no place in the machinery with which the Committee profess, or are authorized to work, in accomplishing the object of the Institution. The only writings specified and prescribed for this purpose, necessarily debar it. So that we must not look for it in

this department of their operations. And then the only other writings which they produced and circulated, are described by themselves, speaking in the name of the Society, to be the "*Word of God*"—the "*Scriptures of the Old and New Testament*"—the "*Sacred Records of our Holy Religion*"—the "*incorruptible seed*." But every one of these titles, as given to the Bible by the Society and by its Committee, repudiates any alliance whatever with the Apocrypha. And yet it is with the Bible, as having all these titles applied to it, that they have associated the Apocrypha, and put it into circulation. They have made it a part of that divine Book which it was their only end to circulate, and yet tell us that they used it as a means for arriving at that end! And thus while they confound the means with the end, as if they were one and the same thing, they also satisfy us that, even according to their own showing, the Apocrypha could not be legally circulated, either as the end to be attained, or as the means for attaining it.

In reference to the distinction now stated, as proceeding both from the Society and from the Committee, it may be farther observed, that the idea of the Apocrypha, being a means of promoting the object in view is quite repugnant to what was actually done. When the Committee circulated their Annual Reports and Monthly Extracts, these had the character of mere instruments, not only because they had nothing of the name, or appearance, or pretensions of the Bible, but also because they were distributed among those from whom assistance was desired and expected, in the work of circulating the *word of God*. But when the Committee circulated the *Apocrypha*, they sent it not among those who were to be induced by it to give them aid in the execution of their one great design, but among those for whose sake the Society was instituted, to whom it had agreed to impart the *Scriptures*, and by whom the *Apocrypha* would be re-

ceived and perused as a portion of that which it distributed for their spiritual instruction. The rich and the enlightened got the historical records of the Society's transactions, which were intended to awaken their attention, to kindle their zeal, to draw forth their liberality. And then the poor and the ignorant got the result of these movements in the shape of Bibles, their want of which was the want that was to be supplied, and a want that could not be supplied by the gift of the Apocrypha, or of any thing different from the "incorruptible seed" of God's Word.

It plainly follows from these views, my Lord, that according to the law and principles of the Society, the Apocrypha was prohibited even as a means of circulating the Bible. It could not serve that purpose without being put into the Bible; and then it became, not that which promoted the circulation of the Bible, but a part of that which was circulated as the Bible. And since the object of the Society was exclusively to circulate the Bible—the pure Bible—nothing but the pure Bible—the instrumentality of the Apocrypha was necessarily and evidently interdicted.

I have already proved that it was not till the year 1813 that the Committee knowingly engaged in Apocryphal circulation; and they did so unquestionably for the purpose of getting what they were pleased to call the Bible, introduced more freely into the Continent. But granting that the circulation of the Apocrypha by a Bible Society were allowable in any case, the reasons by which they were governed were wholly insufficient to justify the practice. No absolute necessity has been pleaded in their behalf. There was no insuperable barrier planted in the way of their fulfilling the one pure purpose intrusted to them by the Society. Nothing occurred to prevent them from performing that duty strictly and conscientiously, so as to exhaust all the funds pro-

vided for them by their constituents. There was an ample enough field for carrying on their Scriptural labours, and spending every fraction of the resources with which they were furnished, without departing a hairbreadth from that line which was so distinctly marked out to them by the law of the Institution. The experiment had been made for eight years with gratifying success; and at the end of that period, there was not any deficiency in the demand for Scriptures, or any accumulation of funds in consequence of the Apocryphal taste that was at length alleged to be so strong and prevalent. On the contrary, there were most encouraging proofs of the willingness of the people to take the unadulterated Scriptures, and there were wide and abundant openings for all that the Society was able to bestow. The Icelanders received the pure Bible with gratitude, though they had never seen a pure Bible before. The Swedes, we were told, eagerly longed for it, and bespoke copies of it as it was passing through the press. In other places, it was asked with importunity, or it was received with gladness. And even granting that the *Old Testament* had been generally objected to—which it was not—on account of its having no Apocrypha, the *New Testament*, it was perfectly ascertained, could be easily distributed in every quarter, and to any extent. So that, in truth, there was no great temptation, or rather no temptation at all, to violate any enactment which the Committee ought to have kept sacred, or to adopt any practice which appeared questionable on the ground either of prudence or of principle, for the sake of doing good consistently with the great design of the Institution, and to the full amount of all that was in its treasury.

The Committee, indeed, received some letters, intimating that the suppression of the Apocrypha would diminish the circulation of the Scriptures. The information conveyed by those letters meant nothing more than this. It was not alleged that a great deal could not be done in

distributing the pure Bible ; but only that so much could not be effected in this way as in the other. " There is not one of the Committee's correspondents who speaks strongly or peremptorily on the subject. They only state what may be stated by the agents of every great enterprise in which certain prejudices have to be encountered, and certain obstacles surmounted. The Rev. Mr. Joenicke says, that the Berlin Society, " on consideration, did not deem it *expedient* to omit the Apocrypha." The Rev. Mr. Cunow says, that if the Königsberg Committee " were to omit the Apocrypha, it would render their edition *unacceptable*." The Rev. Dr. Brunmark says, that " the Evangelical Society at Stockholm was in *difficulties* relative to the omission of the Apocrypha." And the Rev. Mr. Paterson says, that " *considerable difficulties* have occurred in the circulation of the Bibles from the Stockholm and Petersburg Bible Societies, on account of the copies issued by them not containing the Apocrypha." Here, my Lord, you have the whole grounds, so far as they have been disclosed to us, upon which the Committee proceeded to circulate spurious Scriptures. No inquiry was instituted whether it was the people at large, or only a few individuals, who objected. No remonstrance was made. No firmness was displayed. The few meager facts above stated were received as fully substantiated and quite conclusive. And, on the strength of these alone, which no man conversant in any degree with human affairs, could ever consider as making out a case of real expediency, and still more of necessity, the Committee resolved to break the law, to mispend the money, and to vitiate the whole plan, of the British and Foreign Bible Society.

Even though we concede the point of necessity, and allow that no very considerable number of pure Bibles could be circulated in the places from which application for the Apocrypha had been received, still it will form

no sufficient apology for the Committee. If a law is violated from the pressure of necessity, the extent of the violation must be measured and limited by the extent of the necessity. Every thing beyond that is a wanton and unjustifiable transgression; and must render those who commit it equally guilty as if they had violated the law when no necessity at all existed. Now the Committee cannot affirm nor have they ever alleged, that the necessity was universal. It was not predicated as to all the inhabitants of those towns and districts from which the complaints proceeded. And though it prevailed in Königsberg, Berlin, &c. it does not follow that every other quarter of the Continent was infected with the same passionate desire for the Apocrypha. And yet the Committee, your Lordship knows, acted as if this had been really the case. They did not say to those who wrote to them on the subject, "Wherever the *pure Bible* is rejected, let the Apocrypha be added; but give no Apocrypha where the Bible will be received without it." Neither did they determine to give nothing but pure Bibles in other countries till Bibles containing the Apocrypha were peremptorily demanded, and to let every particular case be governed by its own circumstances, always preserving the purity of the law and giving it its intended effect, wherever that could possibly be done. No such thing. The Committee, having made up their mind to break the law, spurned all restraints and all limits; and resolved, in reference to Apocryphal circulation, that "*the manner of printing the Holy Scriptures by the Foreign Societies be left to their discretion!*" Thus, on its being announced to them that in one instance an edition of the Bible would be *unacceptable* without the Apocrypha, that in another instance it was deemed *inexpedient* to omit the Apocrypha, and that in some instances more the circulation of the Scriptures wanting the Apocrypha, was attended with *considerable difficulties*,

they acted as if the Apocrypha had been demanded in every instance, and decreed without a struggle and without an exception, that they would assist in spreading spurious Scriptures throughout the whole length and breadth of Continental Europe! And the agents whom they employed to traverse that region for the purpose either of establishing or of promoting the formation of Bible Institutions, never more inquired into the practicability of circulating the pure word of God, nor attempted to get Societies so constituted as to confine themselves to that species of circulation; but gave personal advice, and active support, and pecuniary contributions wherever they went, for the purpose of stimulating princes, and clergy, and people of all ranks, to combine in distributing spurious Scriptures under the sanction of the British and Foreign Bible Society. In this manner there was not a Bible Association on the Continent, looking to or depending upon this country for assistance, which circulated one pure Bible. Some of them gave Bibles with the Apocrypha appended. Others gave Bibles with the Apocrypha interspersed. Others again gave Bibles with a larger Apocrypha than the Council of Trent had authorized. But all of them gave Bibles including the Apocrypha in some shape or other. And, through the misconduct of its Committee, the British and Foreign Bible Society became the friend, the patron, the nursing-mother of them all.

Nay, my Lord, they were not contented with these sweeping measures. They were not contented with allowing the Foreign Societies to indulge, with the means which they furnished, in Apocryphal circulation to any extent they pleased. They also gratuitously entered into the very worst parts of the proceeding, and did themselves engage in manufacturing Bibles according to the Trentine pattern, and employing presses in London for printing under their own eye and superintendence adul-

tered editions of the word of God, in the languages of Italy, Spain, France, and Portugal;—sending all these forth to the public under the sacred title of the Holy Bible, and under the immediate sanction of a British Society, and thus not only corrupting the Canon of Scripture, but in doing so, deceiving both the Christian community, whose stewards they were, and the multitude of ignorant people whom they affected to provide with the volume of Inspiration.

And I need not tell your Lordship what the fact turns out to be, the moment that any investigation is made into the sentiments of the people of the Continent regarding the Apocrypha, and the probability of their receiving the pure and unadulterated Word of God. Several communications which the Committee have received from abroad since May last, show that the Apocrypha is not at all necessary as a passport to the Holy Scriptures. The letter from Neuwied is so excellent, and so much to the point that I am tempted to give a quotation from it.

“When submitting these our requests,” (for 1000 copies of the Bible without the Apocrypha,) “to the venerable British and Foreign Bible Society, be pleased also to state that we feel no kind of objection to circulate Bibles without the Apocrypha, and that we do not anticipate any inconvenience on that head. On the contrary, we think we are paying a just reverence to the word of God, by separating it from all books which owe their origin to mere human efforts; and it is our opinion, moreover, that it is the duty of the Protestant Church, no longer to overrate the worth of the Apocryphal books, as it has long enough been accustomed to do. May the Lord, who has hitherto so graciously prospered the labours of the British and Foreign Bible Society, lay his blessing on the resolution of the Society, founded as it is on his word, and may He preserve the minds of all inviolably attached to His divine word!”

* Mr. Gorham—to whom, on account of the talent, and zeal, and perseverance which he has displayed in opposing the unworthy measures of the Earl Street Committee, I take this opportunity of offering my tribute of sincere respect and gratitude,—in a letter which he addressed to Mr. Brandram and inserted in the Christian Guardian, has stated that suggestion

The Managers of the Buntzlaw Society have discovered, apparently by accident,—had they inquired they would have made the discovery sooner;—that in the country districts, Clergymen “have declared their willingness to circulate Bibles without the Apocrypha, and have requested copies for that purpose.”

A new Bible Society has been formed at Lausanne for circulating the unadulterated Word of God; and while it pledges itself not to circulate the Apocrypha in any form whatever, and finds no difficulty arising from this circumstance, either among the people, for whose benefit it is to labour, or among those from whom it naturally expects support, it has found the neighbourhood miserably ill supplied with Bibles of any sort, notwithstanding all the sacrifices which have been made to provide them by corrupting the translation, and inserting the Apocrypha. My Lord, had your Committee been strict and vigilant themselves, or faithfully served by their agents, the district of Lausanne might by this time have been furnished with copies of the Bible, without the aid either of Apocryphal writings or of heterodox versions.

But I need not enumerate particular instances. Your Lordship knows that the point is now ascertained, and settled on the broadest scale. Mr. F. Cunningham,

that letters, such as that from Neuwied, of which there are several, should be brought before the public, was resisted by the Committee, partly on the ground that it would risk the revival of the Apocryphal Controversy, and partly on the ground that it was “calculated to induce the public to conclude that the difficulties of introducing pure Bibles on the Continent had been overstated!” After Mr. Gorham had made this exposure of their conduct and motives, the letter from Neuwied was, along with others, put into the Monthly Extracts, No. 112; and prefaced with the following declaration, “The Committee of the British and Foreign Bible Society have much pleasure in bringing the following letters under the notice of the Subscribers.” Much pleasure!—after positively refusing to publish, and refusing to do so because it would bring their former statements into discredit, and subject themselves to the censure of their constituents.

who has certainly no anti-apocryphal prejudices, and whose veracity no member of the Committee will question, has just returned from a tour on the Continent, in which his attention was particularly turned to this subject: And he has reported to you, that, with a few exceptions, there is no difficulty in circulating pure Bibles either in France or in Germany. In the former, there are some places, such as Alsace, &c. in which, he says, the difficulty will be felt—and in the latter, the unwillingness of Lutheran ministers will have to be encountered; but, with these exceptions, the distribution of pure Bibles will be a matter of comparative facility. The people do not care for the Apocrypha; and will receive the Scriptures without it, freely and gratefully.

It must not be pleaded that your Committee did not know this before. They *might* have known it, had they been at the pains to inquire. And they *should* have known it, in the conscientious discharge of their duty. Before any apology for their ignorance can be sustained, it must be shown that their ignorance was unavoidable. You yourself must acknowledge, my Lord, that it was, to say the very least of it, the effect of carelessness and inattention; for they used no means to obtain information. And carelessness and inattention are no light offences in a case where the circulation of spurious Scriptures, under the title of the Word of God, was the obvious and contemplated result.

But even of this refuge, insufficient as it is, the Committee must be deprived. For, when they possessed knowledge, they did not act according to it. They circulated the Apocrypha, when it was not only unsolicited, but positively objected to.

Editions of the pure Bible had met with a most favourable reception in France. Neither Martin's pocket Bible, printed at Paris, nor Drummond's pocket Bible, printed at Geneva, had the Apocrypha, and yet it was

notorious to all who were paying any regard to Bible circulation, as your Committee must in charity be supposed to have done, that the sale of both these Bibles was prompt and extensive: And if the people readily gave money for them, though wanting the Apocrypha, how could the Apocrypha be considered as a recommendation, when they must have been made dearer by having it?

An edition of the Scriptures had been printed at Montauban. And a very large number—more than 3000 copies—of this pure Bible were actually disposed of by sale. It was after this proof of the acceptableness of the pure Bible, that an order was issued for adding the Apocrypha to it. The order was executed, and the addition was made, not merely in spite of the proof already afforded, that such a measure was totally uncalled for, but in defiance of the opposition given to it by the most respectable Christians at Montauban, who remonstrated against the addition of the Apocrypha, both because they deemed this step inherently wrong, (what a rebuke to the Committee in Earl Street!) and because they knew, on the ground of experience, that the Bible would circulate in France without the help of any such appendage as that of the Apocrypha.

There was a French Bible published at Toulouse, at the expense of the British and Foreign Bible Society. Ten thousand copies of it were printed. It was intended chiefly for the Protestants of the south of France. The Paris Bible Society, it appears, stated that the omission of the Apocrypha would give offence. Your Committee then requested Mr. Chabrand, President of the Consistory of Toulouse, and of the Bible Society at Montauban, “to consider the propriety of adding the Apocrypha.” He objected to it, for this among other reasons, that “*there was danger of the Protestants confounding the Apocryphal with the Canonical books; and of their being thus led to adopt*

some of the errors of Popery, (particularly that of purgatory,) TO WHICH THEY WERE ALREADY TOO MUCH INCLINED." They had this communication from Mr. Chabrand engrossed in their letter-book—lying on their table—staring them in the face, when they handed over the case to Professor Kieffer, and gave their sanction to the adoption of the Apocrypha as an inmate of the Toulouse Bible! And not only so; they also were art and part in directing Mr. Chabrand to *omit Martin's Preface to the Apocrypha*, in which the history and errors of the Apocrypha are excellently expounded, and to substitute a meager superscription in its place, *for fear of giving offence to the Catholics!* And though the Committee may appeal, in their defence, to the opinion of Professor Kieffer, it must not be forgotten, that when they applied to him, and acquiesced in his decision, they acted in opposition to Mr. Chabrand, whose fitness, from his talents, his character, his local knowledge, and his clear and avowed perception of the dangers that accompanied Apocryphal circulation, qualified him completely for giving a correct judgment of the question at issue; and preferred following the advice of one who must have been comparatively ignorant of what was expedient, or necessary, or safe, in the southern division of the kingdom, who had shown himself to be without any scruple at all in distributing Apocryphal writings, and who was intimately connected with the Paris Bible Society, which, by its constitution, could not circulate any copies or editions of the Scriptures which did not contain the Apocrypha, and who must therefore have been prejudiced against all attempts to follow a different course in any department of France.

These transactions are not only discreditable in no ordinary degree to the London Committee, but prove most conclusively that their circulation of the Apocrypha was not limited by the exigencies of the case. They

were at no trouble to ascertain whether Bibles would be taken without it or not. They gave it where no person was requiring it. They distributed it among such as had shown that it had no attractions for them. And they *compelled* those to receive it, by whom it was neither needed nor wished for; and in whose behalf remonstrances were made against it, on the ground that it would endanger their religious belief, and their spiritual welfare!

But, my Lord, evident and undeniable as it is, that the Committee had not the plea of necessity to offer for themselves; that, on the contrary, they violated the law of the Society in numberless instances, where it was neither expedient nor requisite for the attainment of their object; and that they did so even when the object could have been far more effectually reached by abstaining from such a sacrifice;—evident and undeniable as all this must be deemed, and justly liable as they are, on that account, to strong censure and condemnation, the worst part of the indictment against them remains to be stated. Their circulation of the Apocrypha as a means of circulating the Bible was not only illegal and unnecessary; it was also sinful in its own nature, sinful in its tendency and effects, and sinful in its accompanying circumstances. They were acting on the principle of *doing evil that good might come*; a principle subversive of true holiness, most pernicious in its consequences, and not only inconsistent with enlightened and enlarged views of policy, but denounced as an aggravated crime by that very book which it is the purpose of the British and Foreign Bible Society to disseminate as the “Word of God,” and the “guide to everlasting life.”

I do not accuse the Committee of maintaining this principle in its abstract form, or of saying that it is entitled to hold a place in the code of Christian morals. But I accuse them of adopting and following a course

of procedure, which acknowledges its authority, and realizes it in its very worst character. Your Lordship never avowed it as the guide of your conduct in Parliament or in Administration. And yet My Lord Bexley, while condemning state lotteries on the ground of immorality, did propose, and support, and recommend, and vote for them on the score of their utility to the revenue of the country. In that case, the principle adverted to was not broadly or speculatively asserted; but it was reduced to practice—it was made, in fact, the rule of conduct—its influence was as much submitted to as if its legitimacy and its rectitude had been openly confessed. Just so is it in the present case. The maxim of doing evil that good may come, I have no doubt, will be rejected and scouted both by your Lordship and the rest of the Committee; but that is of no moment, if we find that the maxim has in reality pervaded and governed their actings as distributors of spurious Scriptures. Having actually and systematically done evil that good may come, the Committee are in the same predicament with the Apocrypha, that your Lordship was in with the Lottery. Their conduct was sinful and their condemnation is just.

From that part of your Lordship's political doings, to which I have felt myself constrained to allude in illustration of my argument, I have no great encouragement to expect that your judgment will be much affected by any thing I have to advance on the topic of discussion that still lies before me. But as I am writing not for the information of Lord Bexley, so much as for the benefit of those upon whom there is a most industrious attempt to impose with the evasive, unsupported, and illusory statements of Lord Bexley's Maidstone Speech, I must occupy a few pages of this letter in pointing out the nature and aggravations of the *evil* which the Committee have done, in order to attain the *good*, which I freely admit they intended, and were anxious to accomplish.

1. And, my Lord, I have to observe, in the first place, that the Committee did the evil of *violating the law of the Society*.

It was a most sacred trust which was deposited in their hands, when the Society appointed them to administer its affairs. The great statute which prescribed and specified their duty was admirably simple and intelligible. Much stress, they knew, was laid upon a strict observance of it, as necessary to secure that universal support which was essential to its prosperity, and claimed by the singleness as well as by the importance of its design. And no power was conferred upon them of dispensing with one iota of the obligations under which it laid them in the prosecution of their object. And yet they took it upon them to transgress that statute; and to transgress it so thoroughly and extensively as to convert the *Bible Society*, so far as all its foreign operations were concerned, into a *Bible and Apocrypha Society*. Had any difficulty occurred, which seemed, in their opinion, to thwart or to frustrate the design of the Institution,—any difficulty in circulating pure Scriptures, where it was most desirable that the Scriptures should be introduced,—it was not within their province to overcome that difficulty by breaking the law. They should have endeavoured to remove it by pursuing measures that were legal—which they never did; and, on exhausting these without success, it was incumbent on them to have recourse to the Society, whose business they had agreed to manage, whose will they had undertaken to execute faithfully, that they might receive instructions as to their mode of getting over the embarrassment in which they were placed. They might have called a general meeting for the purpose: the importance of the subject would have justified it. Or, at least, they ought to have taken advantage of the first annual meeting that was convened, to get their doubts removed, and their

path made clear before them. But no: they presumptuously violated the law at their own discretion. They never applied afterwards for an act of indemnity. They went on, year after year, to repeat the transgression in every possible shape. And all the while they were sensible that their constituents were totally ignorant of such a deliberate and persevering resistance to their authority. Can you deny, my Lord, that this procedure on the part of your friends and associates in Earl Street was altogether inconsistent with Christian uprightness, and that if it had happened with the manager of any merely commercial or worldly concern, it would have subjected them to severe reprehension or condign punishment? Strange! that what is accounted unworthy when practised by a *secular* Committee, should be deemed innocent, or regarded with indulgence, when it is found in the transactions of a *Bible* Committee!

2. In the second place, the Committee did the evil of *breaking faith with the public*.

The Christian community in Great Britain, whose attachment to the Society was strong, and whose support of it was liberal, cherished that attachment and gave it this support, on the supposition that it was a pure Bible-Society, and circulated nothing but the Word of God. If their affection for it increased, and if their assistance became more generous, still it was on the supposition that it sent forth nothing but what they could all conscientiously unite in appealing to as the proper standard of faith. But for a long series of years, the Committee abused the confidence which was so frankly reposed in them. They deceived the public; and the deception was practised with a two-fold effect. They wasted the money which had been placed at their disposal, applying equally the rich man's guinea, the labourer's penny, and the widow's mite, to a purpose the very opposite of that for which these had been contributed. And what was far more culpable, they made the people believe that the

sums collected, whether from their penury or their abundance, were expended in spreading abroad the volume of inspiration, whereas it was really expended in sending out the Scriptures, associated or interspersed with impudent forgeries and silly fables, in order to please the Roman Catholics, or to humour the prejudices of some semi-papistical Protestants. I am aware of no Joint Stock Company that is chargeable with playing off a grosser or more cruel delusion on the public than this : And how your Lordship can possibly defend it, I confess myself not to have sagacity enough to form any plausible conjecture.

3. In the *third* place, the Committee did the evil of *corrupting and falsifying the Canon of Scripture*.

It has pleased God to give us a revelation of his grace and will. And it being of the utmost importance to ascertain and fix the records of that revelation, so that we may know what the Lord speaks to us for our instruction and salvation, we cannot be sufficiently grateful, that, by his over-ruling providence, and the labours of pious and learned men, whom he has raised up for the purpose, these records have been preserved entire, and that they are known to us, on satisfactory evidence, as the volume of Inspiration. Whatever may be the opinions of certain individuals amongst us, the Churches of Great Britain have long considered that most momentous of all points definitively settled. Those who constituted the British and Foreign Bible Society at its formation, and who have since become members of it, or given it their support, may be regarded as of one mind concerning the question, "What is the Word of God?" And there cannot be a doubt that they not only determined to circulate nothing but what they believed to be the Word of God, but that they look on any adulteration of that Word as a heinous crime, and an incalculable mischief. God's Word is not surely one thing in Britain, another in Spain, and a third in

Muscovy. It is the same everywhere, and cannot be added to, or diminished, without disobeying its great author, and endangering the souls of those whom it is intended to save. It is mockery to tell us that we have nothing to do with the Canon of other Churches. Certainly we are not entitled to dictate to other Churches what they shall believe on this point, and to persecute them if they will not submit to our dogmas. But we have to do with the Canon of Scripture. There is nothing in the world with which we have so much to do. And our concern is, that we shall not violate its integrity, and tarnish its purity by human admixtures, or suffer this to be done with our means, and under our sanction; but that, on the contrary, we shall maintain it pure and unadulterated for ourselves, and give it in the same pure and unadulterated state to those of our brethren who are in want of the blessing. An opposite course implies ingratitude to the God of the Bible, disobedience to his express injunctions, defiance of his awful threatenings, and disregard of the spiritual interests of our ignorant and destitute fellow-men, whom we profess to compassionate. I can scarcely, my Lord, express myself too strongly or too decisively on this subject; because nothing can give a deeper or a deadlier wound to revealed religion than the corruption of those documents in which it has been the good pleasure of God that his will should be made known to us—nothing can be more displeasing to Him—nothing, more injurious to men—nothing, more fatal to Christianity. And if ever there was an Institution which from its nature, its purpose, its laws, its opportunities, and its influence, was bound to watch over the purity of the “Holy Scriptures,” and to guard against them receiving the slightest contamination, and to give a practical and unequivocal testimony in behalf of the pure Canon—that Institution, beyond all controversy, was “the British and Foreign Bible Society.”

Now the whole of this has been set at nought by the Committee. Their great concern has been—not to give the Bible in its native genuine form—but to give it in the form most agreeable to the religious taste and prejudices of those upon whom they bestowed it. They have given it, either out of their own stores or through the medium of other Societies, with fourteen spurious books added to its contents—that is, an addition amounting to about a seventh part of the whole. And they have done this deliberately, they have done it long, and they have done it universally on the Continent of Europe. Acting as the managers of a Bible Society, and professing to distribute nothing but the Word of God, they have disseminated, under that sacred title, a book which is not the genuine Bible or Word of God, but a book into which they have put a mass of human compositions, giving to them the same name, and investing them with the same authority, which belong to those divine and inspired records wherewith they are profanely associated. And thus while the Canon of Scripture was settled throughout Great Britain, and its inhabitants, laying their hand upon the Bible, *as we have it*, could declare with a firm and enlightened faith, “Thus saith the Lord”—the Committee of the British and Foreign Bible Society inserted within its divine and consecrated limits, a multitude of the wicked inventions and extravagant fancies of men, and so vitiated and corrupted it, that we could no longer appeal to it as the code of inspiration, although it was sent forth to the nations with all the badges of canonical authority, and solemnly denominated in Earl Street the “Word of God.”

Your Lordship must be sensible that I have not overstated the charge against the Committee. The fact is literally and truly as I have asserted it. All the Bibles which they conveyed to members of the *Greek* and *Roman Catholic* Churches, were debased with human intermixtures. In every one of these there are spurious

writings, interspersed in such a manner as to be undistinguishable from the authentic and inspired books, and to form, both to the eye and the mind of those for whom they are intended, constituent portions of the Canon of Scripture. Bel and the Dragon holds as 'authoritative' a place in their pages as do the prophecies of Isaiah. In the strictest sense of the words the Committee have circulated a *false* Canon of Scripture, and they have circulated it as if it were the *true* Canon of Scripture. This is the substantial offence of which they have been guilty. But their offence is accompanied with several aggravating circumstances. At the lowest estimate they have been wilfully instrumental in distributing not less than 150,000 copies of the Bible, adulterated in the way I have just now stated. As to the extent of uncanonical matter which they introduced, they were quite reckless; for, while they gave fourteen books intermixed with the Word of God to the Roman Catholics, they sanctioned the insertion of two books more in the Slavonian Bibles, published for the use of the Greek church. And so far did they go in this work of adulteration, that they got Roman Catholic Bibles printed in four or five different languages, and to the amount of 20,000, under their own immediate inspection in London. These are facts, my Lord, which you will not deny, and which you cannot explain away. And they demonstrate, on the part of the Committee, a most active and culpable acquiescence in the heretical tenets of other churches on the vital and all-important questions respecting the standard of Christian faith. The rule of the Committee seems to have been, not "let us circulate the true and pure Bible"—but "let us circulate any sort of Bible which men may demand from us, however intermixed with Apocryphal writings, and however contaminated with fatal error."

The Bibles circulated among the *Protestants* on the Continent have had the Apocrypha appended to them.

I do not account that equally evil or dangerous with the practice of sending out an interspersed Apocrypha. But neither can I consider it as a matter of light moment, or as not involving the Committee in the charge of falsifying the Canon of Scripture. And in illustration of this, I beg your Lordship's attention to the following remarks.

The Committee did not say to the Continental Protestants, in so many words, that the Apocrypha was part and parcel of God's Word: but from the state of the people among whom it was distributed, and from the manner in which it was presented to them, it could not fail to be received by a large proportion of them as possessing the same divine authority which they ascribed to the real Canon.

Those to whom it was given consisted principally of the poor and illiterate, who had seldom or never seen a Bible; who knew nothing about the subject of the Canon; who did not understand the word Apocrypha, and attached no such meaning to it as it bears in the mind of a theologian; and who could not therefore be on their guard against the snare which was laid for them by its being bound up with the Bible. The book that was put into their hands was called the *Holy Scriptures*. It was bestowed upon them by a *Bible Society*. Every thing which it comprehended had the same external aspect, the same general style, the same apparent honour paid to it. And if any account of that Society from which they obtained it was conveyed to them, they could not fail to be taught that its great peculiarity was, that the Bibles which it distributed were without note or comment—that is, without containing any thing of mere *human* device or mere *human* authority.* The natural and necessary result of all

* This suggests an argument which I ought to have stated in a previous part of my letter, respecting the meaning of the fundamental law. No man can seriously maintain that in the estimation of the Bible Society, a Bible "without note or comment," signifies a Bible excluding strictly and lite-

this would be an equal regard to the Apocrypha and to the word of God. Such mistakes happen in this country, where the Bibles of large size, containing the Apocrypha, sometimes find their way into the hands of the common people. I have known instances of persons who read the whole without being aware of the difference between what was canonical and what was uncanonical. And if mistakes of this kind occur in our land, where sound teaching and correct information on sacred topics are comparatively so prevalent, how much more readily and frequently must they occur among the inhabitants of the Continent, who are so ignorant on the subject of religion, and who have been hitherto so destitute of the Bible itself; that a copy of it was, to unnumbered multitudes of them, a perfect novelty!

But is it not obvious to your Lordship, that the very fact which the Committee adduce to justify their Apocryphal procedure, gives additional strength to my present argument? "The people," it is said, "will not receive the Bible *without* the Apocrypha, and therefore we must give the Bible *with* the Apocrypha." The fact itself on which the conclusion is founded has not been proved;

rally those productions which are usually denominated notes and comments, such as what we find in the works of Scott, Brown, Whitby, &c. It must signify the exclusion of all that is merely of *human* origin. This is the proper and necessary import of the language. And if any thing else is intended, then it would have been lawful to insert the Acts of our General Assembly, the Liturgy of the Church of England, the Koran of Mahomet, not one of which can be brought under the title of *notes* or *comments*. Suppose that the Committee had attached any of these to the Bibles which they circulated, is there an individual who would have listened to them for a moment if they pleaded in self-defence, that they differed from others in the interpretation of the fundamental law—that the Koran was not a *note* or a *comment*—and that, therefore, they were allowed to circulate the Koran as a part of the Bible and along with it as much as they deemed expedient? They are not one whit more reasonable when they argue in this manner for the circulation of the Apocrypha. The fundamental law, in its very nature and purpose, forbids the circulation of any of man's wisdom or folly, with the Revelation of God's will.

we have proved the very contrary; and if any corroboration were necessary for the proof, I might urge that other fact, the truth of which is admitted on all hands, namely, the general want of Bibles of any kind, and the ignorance of the people as to the particular description of Bible which they ought to have, and the consequent facility that there would be in introducing among them the pure word of God. But granting that their strange reluctance to receive the Bible without the Apocrypha were fully established, this only shows the greater necessity that there was for not complying with their request, because it indicated that they regarded the Apocrypha as a part of divine revelation; and consequently to give it to them under the title of God's Word, was to sanction their error, and confirm their delusion. Had they known and recognised the distinction between the Apocrypha and the volume of Inspiration, it is not to be supposed that they would have peremptorily insisted upon having the former as well as the latter. Such a demand can be accounted for, only on the hypothesis that they looked on both as possessing the same authority, and entitled to the same homage. And, therefore, when both were given to them, a false Canon of Scripture, so far as their belief and principles were to be affected by the gift, was circulated by the Committee, ministering to their spiritual wants.

A similar remark applies to those Protestants in France on whom the Apocryphal scriptures were forced. They did not wish for the Apocrypha in their Bibles. They regarded it as no part of the proper standard of faith, and they were well contented to be without it. But what must they have thought when the enlightened Christians of Great Britain said to them, "You *must* have the Apocrypha; and of so great importance do we esteem it, that unless it be received by you, along with the Bible, you shall not have the Bible at all!" If in any case what-

ever they were capable of understanding the connexion between premises and conclusion, they must surely have inferred that the British and Foreign Bible Society wished them to peruse the Apocrypha with the same reverence that they felt for the Oracles of Truth. And here again there was in effect a falsification of the Canon of Scripture.

I am quite aware that in some cases the Protestants on the Continent would not easily have received the Bible if the Apocrypha had been abstracted from it. But in these very cases we are distinctly informed that their unsound ideas of the Canon were either the cause or the result of giving the spurious Scriptures. For example, M. Chabrand says, when protesting against adding the Apocrypha to the Toulouse Bible, that "there was danger of the Protestants confounding the Apocryphal with the Canonical Books"—an opinion founded on intimate knowledge and personal observation of the subject about which he is speaking. The Report of the Buntzlau Bible Society has this declaration, "*We cannot venture, at least for the present, to circulate Bibles, without the Apocrypha, as many persons might be thereby led to take offence, and to suspect that we wished to keep back certain portions of the word of God from the people*"—a suspicion which could not exist unless there was a belief that the Word of God included the Apocrypha. And very lately a letter was received by our Committee in Edinburgh, from the President of the Jersey Female Auxiliary Bible Society, which, while it asserts that they "found it impossible to sell French Bibles without the Apocrypha"—an assertion too broad and unqualified to be received as absolutely correct;—and while it bestows high praise on Ecclesiasticus, and Wisdom, and Maccabees, as being of great worth and utility—which, admitting it to be true, is very little to the purpose;—assures us also that some of the Jersey people hold the second book of Esdras "en-

titled to be looked upon as divinely inspired, whatever may have been changed or interpolated in it, since it was first written," and that "there are many sincere Protestants who have not yet seen any convincing proofs of the non-authenticity of that part of the Scriptures termed Apocryphal." To give the Bible with the Apocrypha in it to such as entertain these sentiments respecting its divine character and claims, is clearly, directly, and inevitably to countenance their errors, and to rivet on their minds those false ideas of the canon of Scripture which it should have been the endeavour of the British and Foreign Bible Society to remove—not to foster and perpetuate.

I have hitherto abstained from commenting on the peculiar demerit of the Apocrypha. But it is right that your Lordship should advert to the point—which, though not essential to my argument, is yet of no inconsiderable importance in discussing the question at issue. It is not enough to say that the Apocrypha is no part of the Word of God—though that should have been sufficient to deter the Committee from the practice of which they have been convicted. The Apocrypha does, in some particulars of great moment, contradict the Word of God, teaching for his doctrines the commandments of erring and sinful men—stating as facts what are nothing but fables—inculcating tenets which are full of deadly error—and countenancing practices which are criminal and pernicious. And while it is thus in opposition to the Word of God, it pretends to be a part of it—assuming the peculiar style of Revelation—affecting to be an authoritative message from Him who ruleth over all—and in this way combining deliberate impiety towards God, with deliberate imposition upon men, in the infinitely important concerns of religion and morality.

This, my Lord, may be deemed strong language regarding a book which the Church of England retains in

her service. But it is the language of truth, and must be spoken on this occasion. "Whatever respect may be felt for the Church of England by British Christians, unquestionably the honour she has conferred upon the Apocrypha has no share either in creating or in cherishing it. But whatever may be her error in permitting it to hold any place at all in her forms of worship, she has at least guarded her people against acknowledging its claims to be divine, and so far avoided the abomination practised by the British and Foreign Bible Society, which has yielded to the presumptuous pretensions of the Apocrypha, and sent it forth with its own profane declaration upon its forehead, uncanceled and unmodified, "Thus saith the Lord."

And, if any thing could aggravate this offence, such an aggravation may be found in the regards paid to the Apocrypha by the Church of Rome. It was the Church of Rome that canonized the Apocrypha. The Council of Trent arbitrarily and wickedly decreed it to be a part of Divine Revelation, and pronounced an anathema on all who would not receive it in that holy character. And in doing so, it asserted the right of the Papal Power to make a Bible for itself and for the church, and by the simple *fiat* of its will to convert the traditions and inventions of men into the infallible sayings of God's Spirit. Nothing in the whole history of that monstrous usurpation is more characterised by blasphemy, or more disastrous to true religion, than this vitiation of the sacred records, and the principle which was involved in it. And yet it is in this very act that the Church of Rome has been followed by the British and Foreign Bible Society, which has printed and circulated Bibles after the model that she has framed in defiance of the Almighty, and has not attached one syllable to testify against the base and unhallowed deed of that apostate hierarchy. Nor is it to be forgotten, that, in thus con-

forming to the dictates of Papal Rome, by adulterating the Canon of Scripture, the Society has proceeded upon a maxim sanctioned by the same despotism, and distinguished by the same worthlessness,—the maxim that *the end sanctifies the means.*

4. In the *fourth* place, I may add, as another part of the evil, that while the Committee have been busy in establishing a false Canon of Scripture abroad, they have by that means, done much to *unsettle the faith of the people at home.* Truly benevolent and useful is it to send Bibles to the inhabitants of other countries; but if, from our method of doing that, the inhabitants of our own country are to be shaken in their religious belief, I fear that the gift we bestow is furnished at too costly a price. And this is the natural, I may say the inevitable effect of that mode of proceeding which has been adopted by the London Committee. Hitherto the people at large have had no doubts with regard to the Canon of Scripture. They have had it in their possession. They have derived from it their knowledge of divine things. They have taken it as the standard of their creed, and of their duty. They have appealed to it when in danger of being seduced by heretical teachers. They have been preserved from the errors of Unitarianism by their very horror at the freedom which the abettors of that system have used with its authenticity, its inspiration, and its integrity. And, in short, the fixed and unqualified understanding is, that it comprehends the whole revealed will of God, and that it alone is entitled to determine whatever we are to believe and to do as Christians. I am sure that I express your Lordship's opinion as well as my own, when I say that all this is not only a true, but an important statement; and that it should be matter of joy to every one of us, to observe such a firm and unanimous belief prevailing on a topic so fundamental,

But what a shock must the convictions of the people receive, when they observe the treatment which the Holy Scriptures have experienced from the Committee of the British and Foreign Bible Society! However decided their views may have previously been, there can hardly fail to start into their minds a suspicion that they were wrong,—that they have attached too much importance to the doctrine respecting the Canon—that the Bible is not that sacred and inviolable thing which they have been accustomed to think it. They have seen men of superior knowledge, of superior character, of superior pretensions—men whose reputation for piety and uprightness has travelled over the world—men whose love for the Word of God, and whose zeal for its diffusion are so ardent, that they will do any thing and every thing to give it universal circulation,—they have seen men of this description violating its purity without the least apparent compunction; and conveying it to various sects of religionists, either unmixed or adulterated, either by itself or united with fables and falsehoods, according as their tastes and prejudices might severally require. And having seen this, is it possible that they should not feel its baneful influence, enfeebling their attachment to the incorruptness of the Bible, and disposing them to add to it, or to take from it, or to treat it in such a manner as to find support for any erroneous opinions which they are inclined to hold, and to get countenance to any evil propensities which they are desirous to indulge? And it is not unimportant to observe, that the reason so often urged in order to secure from us credit to the Committee for what is past, and confidence in them for what is to come,—I mean their great worth and enlightened judgment,—is the very reason why we should look with so much fear and trembling to the consequences of their procedure in falsifying the Canon, because the higher the idea is which has been generally entertained of their judg-

ment and their worth, the more certain, the more extensive, and the more malignant will be the effect produced on the faith of the people by the unbounded liberties which they have taken with the integrity of the Holy Scriptures.

This mighty mischief might have been in some measure counteracted, had the Committee acted subsequently as they ought to have done, or had the friends of religion who have so zealously defended, been rather united in condemning, their conduct. But while they themselves have made no acknowledgment of error, your Lordship knows who those are that have rallied round them; and sustained the office of their vindicators and apologists. They are the very men whom we should have expected to be most sensitively alive to the evils that had been done, and most anxious to neutralize them by the whole weight of their opposition, and the whole influence of their character. The Committee have enjoyed the unqualified support of Christian noblemen and evangelical ministers, and got their misdoings patronised by those who had it most in their power to lift a prevailing and effectual testimony in behalf of the true Canon of Scripture, by denouncing as with one voice the individuals who had dared to vitiate and corrupt it, and thus to endanger the faith of their Christian countrymen in Britain, as well as to delude the objects of their reckless zeal abroad. Such a fact renders the evil I am pointing out so much the greater, and imposes an additional obligation on all to whom the purity of the Word of God, and the prevalence of Christian belief on this momentous subject are precious, to expose the misdemeanours of the Committee, and to fasten the responsibility upon them and their defenders, instead of allowing it to be concluded that we are all as indifferent as they have shown themselves to be to what so deeply affects

the honour, the importance, and the authority of Divine Revelation.*

5. I have to state in the *last* place, that the Committee have done the evil of *practising a dishonest concealment*.

I have already adverted to this fact, and produced it as a proof that the Committee were conscious of acting illegally when they circulated the Apocrypha. But it must now be brought forward as illustrative of their acting upon the principle of doing evil that good may come. They wished to circulate the Bible on the continent; and to enable them to do so everywhere, as they thought or professed, they adulterated that Holy Book even with an *intermixed* Apocrypha. Then, to enable them to go on in their apocryphal course, unchallenged and uninterrupted, they were careful to withhold all information about it, and all knowledge of it, from their constituents. And, as if to show the productive power of sin, some of

* For an illustration of the evil effects produced upon various denominations, such as Jews, Papists, Protestants, and Infidels, I refer to the Second Statement of the Edinburgh Committee, p. 47—54. A great deal has been said against that pamphlet, on the ground of its being pervaded by a *bad spirit*. This allegation arises in some measure from the very inadequate conceptions entertained by those who make it, of the sinfulness and the danger of corrupting the word of God. But from what I have seen, I am persuaded that it is in most cases a *ruse* practised for the purpose of preventing the Statement from being read. Those who have been loudest and most forward in proclaiming its *bad spirit*, have been the most backward also in producing quotations from it to support their accusation, though strongly and repeatedly challenged to do this act of justice. And if they thought their accusation well founded, why should they have been so anxious to arrest the circulation of the Statement, since, on that supposition, its circulation would have been the very best means of ruining the credit and defeating the object of its authors? The secret is, that, as they well know, there is no bad spirit in the Statement; but it contains facts, and arguments, and remonstrances, which they could not intrust with the English public, and hope for a favourable judgment on the cause of the Committee and the Apocrypha. Let it be perused by the candid, and they will soon perceive that the *bad spirit* is to be found, not in the Edinburgh Statements, but in the measures of those who have corrupted the Bible, and in the language and in the doings of their defenders.

their own members, and many of their zealous friends, have gone so far as to deny that there was any thing but the most perfect fairness and publicity in all their transactions relative to this business.

My Lord, you are yourself aware that this fact cannot be successfully disputed. There was on the part of the Directors of the British and Foreign Bible Society concealment—long and studied concealment—of their doings as to the Apocrypha. This was proved to demonstration in the Second Statement of the Edinburgh Committee: It was confessed by the 'deputation which' visited us in April last: I myself heard the confession made frankly and explicitly. No attempt to retract or to qualify the confession of it has yet been hazarded in Earl Street. And indeed, after the discoveries which have been recently made, which your Lordship must have witnessed with deep affliction, and with some reference to which I may hereafter trouble you, he must be a man of no ordinary courage who will venture to affirm that it was either impossible or improbable that a body of Christians so eminently good as the Committee of the British and Foreign Bible Society should have been justly chargeable with such a gross delinquency.

I have said, my Lord, that the Committee were guilty of a *dishonest* concealment. It was dishonest in itself, and it was dishonest in its circumstances. Bear with me while I lay before your Lordship, in a few sentences, an illustration of both these propositions.

The concealment was dishonest in itself. The Committee had no title to hide any fact of importance from their constituents. It was a part of their prescribed duty to give a faithful and accurate report of their transactions; and they professed to do so at every annual meeting of the Society. No necessity, indeed, lay upon them to narrate every trifling incident that occurred. But the circulation of the Apocrypha, united or mixed with the

Word of God, was an event of more than ordinary magnitude. It was a wide departure from the principle and law of the Society. It gave a new complexion to the whole of its foreign proceedings. It did not take place till after a serious discussion on the subject, and a solemn resolution, which altered the course, hitherto pursued by the Committee, as to one of the most important points that could possibly engage their own attention, or interest the mind of the public. Yet they not only refrained from announcing it, but did not even allow a syllable to escape them, from which such an occurrence could have been inferred. Every thing else was told. If a Burgo-master uttered a sentence about his own zeal; if a German Princess gave a few pieces of money to the cause; if Dr. Pinkerton "experienced peculiar pleasure" in one place, or spent "several laborious days" in another, all these things, and all other things of equal insignificance, were faithfully related. But on the momentous decision to distribute spurious instead of pure Bibles, they observed a profound and death-like silence. In this manner, while pretending to give a detail of their management, they withheld all sort of information respecting that which it was of the utmost moment for the Society to know, and with which, they must have been convinced, the Society would be particularly anxious to be made acquainted. Even taking the simplest view of their conduct in which it can be considered, it was obviously unfair and disingenuous, for the thing was done with a deliberate intention to hoodwink and impose upon the community, whose stewards they were, and to whom they pretended to give an account of their stewardship. Of the *hundred* measures of oil that were owing there are only *fifty* written down in the bill.

But, my Lord, the concealment practised by the Committee was also dishonest in its circumstances. For a full enumeration of these circumstances I must refer to

the Second Statement of the Edinburgh Committee; p. 71, *et seq.* And I shall here only mention two or three; which indeed will be quite sufficient for my purpose. Mr. Cunow's letter, in which he speaks of the omission of the Apocrypha as rendering the Bible unacceptable, was published by the Committee in the appendix to the Report of 1813, but the clause which thus referred to the Apocrypha they carefully left out. In the Report of 1814, an account is given of the various books published by the Stockholm Evangelical Society, since the commencement of their Biblical labours, and when that account is extracted from their correspondence and sent to the printer, the Committee put their pen through this clause—"and 10,000 of Apocryphas." No hint is given in that year's Report of the communications from Dr. Brunmark and Mr. Paterson respecting the Apocrypha, though these gentlemen are noticed in a special manner, and donations are announced to both the Societies of Stockholm and Petersburg, concerning whose difficulties they had written. The Toulouse and Montauban editions of the Bible are spoken of in the Report of 1821, and the Paris Committee and Mr. Chabrand have the usual measure of applause meted out to them, but not a word is suffered to appear in reference to the Apocryphal transaction; which had occasioned so much negotiation, involved such a difference of opinion, and terminated at last in an act of compulsion. I may also remark that, though the Apocryphal circulation commenced in the year 1813, yet in 1821 there were several regular members of the Committee who were altogether ignorant of it. And though in 1819, Roman Catholic Bibles were printed by them in London, there were not a few of their own number who in 1824 would not believe that they had circulated *intermingled* Apocryphas.

Now, I ask your Lordship, if these circumstances are consistent with the supposition of "simplicity and godly

sincerity" on the part of those who had the active management of the Society's affairs—if they could possibly have taken place without the aid of artifice and equivocation in no ordinary degree—if they do not imply a system of fraudulent *reticence* and secrecy, dexterously contrived and as dexterously pursued through a series of eight or eleven years? These are strong expressions, my Lord, but I use them advisedly: they are justified by established facts and by acknowledged principles; and they are the more deserved, that they are employed in relation to the conduct of those whose business it was to circulate the Word of Truth.

And to crown the whole of this sad exhibition of the Committee's dishonest concealment, let me remind your Lordship, that while they were actually and knowingly distributing *adulterated* Bibles, they were declaring that they distributed nothing but *pure* Bibles. They did not merely allow the people to believe this as an inference, but they pressed it upon the people by positive, repeated, continually-recurring averments to that purpose. Every thing that was said by them at public meetings—every communication that they sent to their auxiliaries—every statement that they made on these and similar occasions on the nature of their work, and on their adherence to the object of the institution, was a distinct avowal that it was the Inspired Volume, and that alone, which they disseminated. Even when there had just issued from their own presses in London, and from under their own immediate inspection, fifteen or twenty thousand copies of the Bible in different languages, having the Apocrypha interspersed, they proclaimed anew to the Christian world, in their Annual Report, that as it was their "*professed*," so it was their "*exclusive* object" to "circulate" the "*Word of God*." And not only so, but after having, in August 1822, formed a resolution, which, under the mask of abandoning the circulation of the Apocrypha,

permitted the Foreign Societies, whom they assisted with money, to circulate the Apocrypha with the Bible as much as ever, they told us in their next Report, that the British and Foreign Bible Society could "*employ only the sword of the Spirit,*" and that "*its labours were exclusively directed to one object,*" to communicate in the widest extent possible that which is the common property of all, "*the code of Divine inspiration.*" Here, my Lord, we have dissimulation and deceit with a vengeance. Such conduct aggravates the dishonesty of the concealment a thousand fold. It appears to me so utterly bad, that I have no words to express with sufficient emphasis the demerit which it involves and the reprehension which it deserves. And I marvel what either your Lordship or Mr. Noel could advance to justify such a gross deviation from the path of integrity and uprightness.

I shall not trouble your Lordship with recapitulating the particulars of that indictment against the Earl Street Committee which I have distinctly brought forward, and fully substantiated. But I feel myself warranted, by all the principles of moral judgment, and sound deduction, and human experience, to come decidedly to this conclusion, that they are not entitled to that confidence which is yet most clamorously demanded for them, but that, on the contrary, they are the objects of just disapprobation and of merited distrust, and should no longer hold the situation which they have so unworthily occupied. This seems to me to be required by a regard to the honour of the Bible cause, as well as to the future management of the Bible Society; and by interests infinitely higher than those of any individual, of any party, or of any association whatsoever.

Be assured, my Lord, that here there is no groundless or gratuitous hostility to your Institution. I am well acquainted with the sentiments of our Committee, of our Society, of the public at large, on this point, and I speak

without reserve, when I say that your Institution was the object of their fondest admiration and attachment; that many a blessing did they pronounce upon it, and many a prayer did they offer up in its behalf; and that all the pecuniary donations which they transmitted for its support—though they “did what they could”—were but feeble indications of that fervour which animated their wishes and their longings for its growing prosperity and its more abundant usefulness. Be assured of this, my Lord; but be also assured that, dear as was the British and Foreign Bible Society to our people, dearer still—far dearer—ininitely dearer, is the Holy Bible itself, in all its entirety and in all its purity. When you touch this, you touch the apple of their eye; and there is no alliance, however desirable, which they will not renounce, and there is no sacrifice, however costly, which they will not make, in order to preserve that treasure of divine and saving truth, and to guard it from the plague of Apocryphal contaminations. Your Lordship may call this prejudice, or superstition, or illiberality. Call it what you will: it is the fact I tell you; and it is a fact which, in better times, will be deemed glorious to those whom it characterises, as it is even now with many, a theme of gratitude and praise to Him, “by whose grace it is that we are what we are.” If you have a Society which sets itself avowedly to circulate the Bible and the Apocrypha, our people will sincerely lament it; but they will not go beyond their sphere, and officiously intermeddle with the abettors of such a scheme. But when you have a Society which solemnly pledges itself before God and men to distribute the Oracles of Truth to the exclusion of every thing else; which repeats that solemn pledge year after year, and in every varied form of expression; and which stakes its credit and its prosperity, on a strict adherence to that grand principle—when you have a Society which does this, and yet is all the while busily employed, by

means of its Committee, in adulterating the Scriptures which it circulates, and in artfully and dishonestly concealing from the public the abominations which are practised—for such a Society—for a Society committing such things, or approving of them, they can have no toleration; and to ask them to have fellowship with it, is to ask them to renounce their most sacred principles, to violate their conscience, and to make shipwreck of their faith.

But I shall be told that the character of those who constituted the Committee should exempt them from those charges and suspicions in which I have indulged. This plea of character in such a case as the present, is irrelevant and absurd. If no sufficient proof of delinquency had been made out, it must have had great weight. And, indeed, so much weight was from the beginning attached to it, that it was the means of lulling the public mind into a state of perfect security; and after accusations were adduced, it was the means of inducing men either to discredit these accusations altogether, or to receive them with the greatest caution and jealousy. But since distinct charges have been laid before us, and since these charges have been supported by proofs so numerous and conclusive as to remove all doubt respecting their truth, to talk of previous or of existing character as a valid defence, is to insult equally our understanding and our moral feelings.

I do not say that every individual member of the Committee was guilty of those shameful malversations which have been brought to light. But I say that these malversations have been practised by the *Committee*. The evil was done by that body in its collective capacity. It was by an express and minuted resolution of the *Committee* that Foreign Societies were permitted, with the help of our funds, to circulate Apocryphas. It was by the authority of the *Committee* that all the subsequent Apocry-

phal transactions took place. It was by the *Committee* that the Reports were prepared and published, by which we were so shamefully deluded and imposed upon. In short, it was by the *Committee* that the regular scheme of adulteration and deception was carried on. And it is the *Committee* that we must look to as bearing the responsibility of the whole affair. There were particular members of the *Committee*, I doubt not, who neither knew of their misdeeds nor partook of them. But all that can follow from this is, that those particular persons are to be exempted from moral blame; and that still the *Committee* are involved in the guilt and liable to the censure. And then come the questions, How is it that the gentlemen who are to be exculpated, it seems, as to all personal delinquency in this case, have never declared themselves? Who are they? How shall we discover them? Have they retired on finding out the illegal and sinful procedure of their brethren? Or, remaining with the view of struggling for a reformation, have they entered their strong and decided protest against it on the minutes? I should like to have some satisfactory answer to these queries, that I may not be obliged to hold them as having identified themselves with those from whom they yet wish to be considered separately, and thus giving their countenance and protection to men whom, nevertheless, when their own accountability is concerned, they would agree in condemning.

But I shall even allow that the majority of the *Committee*, individually considered, were guiltless of what has been done. Then the minority took advantage of the non-attendance, or simplicity, or thoughtlessness, of the rest, to transgress the law of the Society, to corrupt the Word of God, to falsify the Canon of Scripture, to conceal their evil deeds, and to be dishonest in their communications to the public. And this being the case, we have just another aggravation of the offence, and an ad-

additional reason for the majority, on being made sensible of the sinful manœuvres practised under the sanction of their name and authority, to expiscate the whole facts, to detect the real delinquents, and to get them removed from a trust which they had so grievously abused. But have they done so? Have they made any serious attempt to do it? Have they instituted any regular inquiry? Have they taken one step towards the performance of such an obvious and imperative duty? Have they acted in this manner? Not at all. They have acted as if no fault had been committed, and no investigation necessary. It must be inferred, therefore, either that it was the real majority of the Committee which was guilty, or that the real majority has overlooked the unworthy doings of the minority. In whichever way your Lordship is pleased to represent the fact, I am contented; for the representation evidently resolves itself into this, that the Committee, in the fairest and fullest sense of the term, are answerable for all that has been proved, and that they have conducted themselves in such a manner as to forfeit our confidence in them as Directors of the British and Foreign Bible Society.

We are next told that though the Committee had gone far wrong, and been guilty of many bad things, yet that the penitent should be forgiven and restored to their former place in our regard. True, my Lord, we should not be relentless where contrition is manifested, and where amendment takes place, so far as we are individually concerned. But where the interests of religion in general, or of an Institution like that of the British and Foreign Bible Society in particular, are involved, relentlessness to a certain extent is expedient and dutiful. These interests are too precious to be sacrificed to feelings of private lenity and indulgence. And, in the present case, the offenders have no claim on the forbearance and kindness of the community, except in so far as they execute their trust

faithfully; nor can there be any doubt that the spirit which forgives them is perfectly consistent with the spirit which requires that they should cease to manage, and that others less obnoxious and less exceptionable should be substituted in their place.

But, for my part, my Lord, I have not been so fortunate as to see one symptom of penitence in the Committee. Where is it that we are to find a single expression of sorrow? Where shall we look even for an acknowledgment of error? The whole course of their procedure after the public voice was lifted against them, evinced a marked reluctance to forsake their Apocryphal practice, and a determination to persevere in it as long and as much as possible. Had they been sensible of the evil, and willing to abandon it, and ingenuous in dealing with the subject, the very first intimation of the sense and opinion entertained by their constituents would have been a signal for the immediate, and total, and unqualified relinquishment of what had so greatly disgraced their management, and given so much offence to the Christian public. But instead of this they resisted every endeavour to bring them back to the right path,—they fought every inch of ground with the friends of pure circulation,—they vacillated from one resolution to another, always reserving a portion of the unhallowed traffic,—and at last they gave way, only because they saw that to persist longer in the struggle was vain and perilous. The Deputation to Scotland agreed that they should “advert with concern and regret to the circulation of the Apocrypha, as inconsistent with the law.” But when this arrangement, so simple and innocuous, was reported to them, and presented for their sanction, they cancelled it as uncalled for by their conduct, or as untrue to their feelings. Though the Edinburgh Committee, in April 1825, “pressed upon them the absolute necessity of considering and determining this question within the short-

est possible period, and transmitting a direct answer, whether they considered themselves warranted by the original and fundamental rule, to aid in any way whatever the circulation of the Apocrypha," and added "that till a satisfactory answer was received from London on this point, all remittances to the Parent Society would be suspended," they never deigned so much as to take notice of this communication, and would rather forfeit our pecuniary aid and our tried attachment, than condescend to give any reply to an inquiry rendered indispensable by their own mysterious and unworthy deportment. And they obstinately refused to put away from them, or to propose the removal of one member, even the most notorious for Apocryphal predilections, but, on the contrary, seemed anxious,—as witness their earnest and too successful endeavours to prevent Mr. Trueman from resigning,—to retain and to secure as many as possible of those who differed from the public on the subject of Apocryphal circulation, and who had either been active in all their illegal transactions, or were ready to defend them all as harmless or unavoidable. Such is the real state of the case; and if, with this in your eye, your Lordship can affirm that the Committee have repented,—when can we assert with truth that an offender is impenitent?

Then we are told that the Annual Meeting in May last settled the point by declaring against Apocryphal distribution as contrary to the law, and thus prescribing to the Committee the precise line of conduct which, in this respect, they must hereafter pursue. With all deference to that Meeting, I must submit, that they were too passive, and that they were utterly mistaken. The Committee, instead of coming before them as transgressors, and acknowledging their fault, and craving an indulgent consideration of what they had done amiss, and promising to follow a different and irreproachable course

of acting in future, presented themselves as persons who had done nothing wrong, who had merely taken diverse views of a "Question" concerning the import of the fundamental law, and who now begged leave to dictate to the meeting a decision which exonerated themselves, by laying the whole blame on an alleged ambiguity in the statute, and blinked every circumstance which in the least degree affected the merits of their conduct. Of this proposal the meeting tamely accepted. Not one of their number had courage enough to stand up and enter his protestation against the enormous abuses which had been so long committed. The formidable array of rank, and official dignity, and respected character, which appeared on the platform, seems to have awed them into a submission, against which I know the understanding and the conscience of many of them deeply revolted. And under this or some other strange bewitchery, they did exactly as their own servants bade them. They did not breathe a whisper in condemnation of the guilty Committee. They did not reprobate in the slightest degree the adulterating process itself, in which the Committee had been engaged. They did not manifest their dislike to that dishonest concealment by which they and their fellow Christians had been so basely duped. They did not even lament—no, nor "advert with concern and regret" to these acts of faithlessness and fraud, though perpetrated by the friends and circulators of the Holy Bible. They contented themselves with stultifying the venerable President of the Society, who had said that the law did not "admit of dubious interpretations,"—and with contradicting the Committee who had acquiesced in that very statement, and published it in one of their reports,—and with pouring mockery on the common sense of all the members of the Society, who had never entertained the shadow of a doubt upon the subject. They found, not that the law as it originally stood is an excellent law, and

prohibits the circulation of any thing, be it what it may, along with the word of God—the distribution of which is its sole and exclusive object; and that those who had circulated the Apocrypha appended to the Bible and intermixed with it, had sinned most grossly against the whole purpose and constitution of the Society;—but that “the fundamental law of the Society, which limits its operations to the circulation of the Holy Scriptures, be fully and distinctly recognised as excluding the circulation of the Apocrypha!” So that the Committee may hereafter circulate the Koran of Mahomet or the Hindoo Shasters along with the Word of God, and keep it a profound secret for some eight or ten years, and then, on its being discovered, start a question, whether the fundamental law does not admit of such a measure being used instrumentally in getting Bibles more widely diffused, and procure from the Annual Meeting a judgment and an amnesty similar to those by which the Meeting of May last overlooked all their past conduct, and opened a door for future aberrations equally gross and equally mischievous. I need scarcely add, that having conducted the business in this manner, it could not be surprising that the Meeting suggested no alterations on the membership of the Committee; that it did not propose the retirement of those whose prejudices were still strongly in favour of Apocryphal distribution; that it did not suggest the removal of such office-bearers as had lent themselves to the unlawful practice and the dishonest concealment of it; that they just allowed things to remain in the corrupt state in which they had been, or in which the Committee themselves were desirous for them to continue. In my humble apprehension, the Annual Meeting did more evil than those who composed it are yet aware of, or than can be easily or effectually remedied.

It is notorious, my Lord, that the existing Committee is decidedly Apocryphal. They will not, because

they dare not, in defiance of that state of sentiment on this topic which at present prevails, give effect to their feelings and inclinations. But still their feelings and inclinations are not at all in unison with those of their constituents. And why, in these circumstances, they themselves should so eagerly cling to place, and others should contend so earnestly for trusting them with the continued management of the Society, is a problem which I cannot solve. Are their reluctant services in the cause of pure circulation to be preferred to the services of those whose principles, and views, and wishes, are such as to secure cordiality and cheerfulness, as well as strict fidelity in promoting it? Are the Philo-Apocryphalists so valuable in other respects that you cannot get on without them? Or are the Anti-Apocryphalists so scarce that a sufficient number cannot be procured to conduct the business? Or what is the reason that the men who erred so greatly and so long, and have not seen their error, nor confessed it, nor repented of it, must, *per fas et nefas*, be enthroned in the management of the British and Foreign Bible Society? I should like your Lordship's answer to these questions.

But do not, my Lord, attempt to offer any doubt or denial respecting the Apocryphal character of the Committee. In doing so, you would intimate some sort of conviction that it ought not to be so; but you would fail in rescuing that body from the imputation. It is notorious—I repeat it—that the majority of the Committee are decidedly Apocryphal: If your Lordship will only take the trouble to deny this, I will on my part take the trouble to substantiate it by valid and abundant proof. A multitude of circumstances press upon my mind at this moment as more than sufficient to evince it. The Committee retains almost all those who were formerly in the habit of deliberately corrupting the Bible with Apocryphal additions, and who have never yet acknowledged

that the practice was unjustifiable. The discussions which took place in the course of last summer on the case of the Wallachian Scriptures and on that of the grant to Van Ess, were decisive, even independently of Mr. Gorham's testimony to the Committee's Apocryphal spirit; and his testimony removes every particle of doubt that might otherwise have been entertained. All the Secretaries, and Assistant Secretaries, the Librarian, and other Officers in Earl Street, are perfectly known to be in favour of Apocryphal distribution; and were it not for the congeniality of sentiment on this topic which prevails between them and the Majority of the Committee, certain discoveries which were lately made as to the documents of the Society, your Lordship must be sensible, would have subjected some of them to severe censure, or rather immediate dismissal. And who are the men whom the Committee have sent for the purpose of attending the Auxiliary Meetings throughout the country, to plead their cause and vindicate their proceedings? They are the most zealous and determined Apocryphalists whom they could select. There is Mr. Platt, their Honorary Librarian, who, along with Mr. Simeon and others, subscribed that remonstrance against the Committee's resolution of 20th December, 1824, which was sent up from Cambridge, and which boldly maintained the lawfulness and expediency of giving to the different established churches throughout the world, the particular descriptions of Bible which they were severally accustomed to. There is Dr. Pinkerton, who did more on the Continent to promote impure circulation than any six that were employed by the Society; and who openly justifies the whole proceeding, and gives such statements in his public addresses as to mislead the people, by impressing them with views directly opposite to those which the Committee, if sincere in their professions, would wish them to cherish. And to mention no more, there is Mr. Brandram, one of the Secretaries, who

has stood forth on all occasions as the advocate of Apocryphal circulation, who argues boldly and fervidly for the Committee returning to that course which they have been compelled to abandon, and who, in doing so, only acts up to that solemn protest which, along with Messrs. Simeon, Farish, Elliot, Dealtry, and Stokes, he gave in and recorded against the Committee's *Anti-apocryphal* resolution of November 21, 1825: and which is as follows, "*We protest against the present decision of the Committee on the subject of the Apocrypha, as being, according to our deliberate judgment, in direct opposition to the moral bearing and genuine spirit of God's word.*" Is it possible, my Lord, that gentlemen holding such sentiments, and founding them, as in the case of Mr. Brandram, on the authority of Scripture, can be zealous in the circulation of pure Bibles, or safely relied upon for a faithful and exact administration of the Society's law? Is it possible that, if the Committee intend a *bona fide* execution of the trust which has been reposed in them, or which they have voluntarily undertaken under that law as explained at last annual meeting, they will retain in their service persons whose convictions should determine them to counteract it, and one of whom cannot carry it into effect without contradicting "the moral bearing and genuine spirit of God's word?" And is it possible that an enlightened and Christian public will allow itself to be subjected to such unbecoming treatment, and its most philanthropic design to be thwarted or endangered by a management of such suspicious character and such unfit materials, when there are men both able and willing to prosecute the same work, without being influenced by one emotion of regard for those writings which can have no other effect, when given along with the oracles of the living God, than that of corrupting their purity and marring their usefulness?

It may be proper to remark, that the Apocryphal

question, important as it is in itself, is rendered still more important by certain other points with which it has been connected in the course of the controversy. If it has not originated in peculiar notions of Inspiration and of the Canon of Scripture, it has at least been greatly affected by these, and on that account deserves a still more serious consideration than it would otherwise be entitled to. It was with equal pain and indignation that I heard read at our Committee table, an extract of a letter from a gentleman, who is at once a minister of the Church of England, and a most active abettor of the obnoxious proceedings in Earl Street, in which he endeavoured to influence his correspondent on this very dispute, by affirming that the Canon of Scripture is a matter, not of revelation, but of private judgment, and that while there may be some books in *our Scriptures* which are *not* inspired, there may be some books in the *Apocrypha* which *are* inspired. It cannot be unknown to your Lordship that the Editor of the Eclectic Review inserted in that work an article in which he not only maintained the doctrine sported by the Clergyman just alluded to, but in good set terms threw suspicion on about *a hundred and forty chapters* of our authorized Bible; and that a large impression of this article of the Eclectic was thrown off separately, and dispersed throughout the country, partly at least at the expense of *members of your Committee*. And, lastly, Dr. Pye Smith, a learned Independent, has taken up the cause of that Committee; and in papers which the Evangelical Magazine is the vehicle of sending forth to the world, he has, not indeed told us his own opinions, which are not altogether sound on the inspiration of certain books of the Old Testament; but apologized for Professor Haffner, an eminent individual among those on the Continent, who are called Rationalists, and whose reason is so enlightened as to be rather incommoded than assisted by an *inspired* record of religious truth. What! My

Lord, are Churchmen and Dissenters in England uniting to bring discredit on the Canon of Scripture as heretofore established? Are they engaged in such a disastrous combination for the purpose of justifying the corruption of God's Word in foreign lands, that has been carried on in the name of the British and Foreign Bible Society? And are we indeed arrived at such a pass, as that, to save from merited disgrace that junto, whose violation of the law; and whose dishonest concealment of their actings deserve no indulgence, the great doctrine of Inspiration, as connected with our "Holy Bible," must be exposed to contumely or distrust? Then is it time to tremble for the safety of the ark; and then is it time for the friends of religion, in both kingdoms, to rally round the standard of the word of God, and to exert themselves, not only for the purpose of purifying the Committee from the Apocryphal leaven which still pervades it, but also for bearing a decided testimony against those dangerous principles to which that Committee's aberrations may be too justly traced, and to which they are too certainly indebted for much of that indulgence or unconcern with which they have been treated.

My Lord, I submit these things to your serious meditation. On the other topics which your speech embraces I must address your Lordship at another time. The Translations, the Expenditure, and the Foreign Alliances of the Bible Society, are subjects on which it is painful to dwell; but it is necessary to discuss them; and I think I shall be able, without much difficulty, to refute almost every position—of argument there is little or none—by which you have endeavoured to exculpate the London Committee. Having many important avocations, to occupy my attention and my time, I may not find it practicable to overtake the remaining part of my task so speedily as I could wish. But I shall make as little delay as possible.

Your Lordship's speech begins with a serious and affecting appeal to that gracious Being from whom you have received strength to discharge many a duty, and in whose service you desire to spend your declining years. My Lord, from the bottom of my heart I wish you every comfort, temporal and spiritual, which a Christian can either need or desire ; but I cannot flatter you with any commendation of that act of devotedness which you performed at Maidstone. I observe with the deepest regret that, while imagining yourself to be dedicating the remainder of your life to God's glory, you have also been labouring to vindicate and support the adulterators of his word. I have the honour to be,

My Lord,

Your Lordship's

Most Obedient Servant,

ANDREW THOMSON.

EDINBURGH, .
January 4, 1827.

THE COLONY
OF
SIERRA LEONE
VINDICATED

FROM THE
MISREPRESENTATIONS OF MR. MACQUEEN
OF GLASGOW.

BY
KENNETH MACAULAY, ESQ.,
MEMBER OF COUNCIL AT SIERRA LEONE.

LONDON:

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PREFACE.

THE following sheets contain the substance of a letter, addressed, about six weeks ago, to a Member of Parliament, who expressed a desire to know my opinion respecting the charges which had been preferred against the Colony of Sierra Leone, by Mr. Macqueen of Glasgow, in Blackwood's Edinburgh Magazine for December last. This circumstance will account for the epistolary style which the work occasionally betrays.

Since this communication was made, Mr. Macqueen has put forth, in Blackwood's Magazine for this month, another long tirade against Sierra Leone and those connected with it; containing little more than a reiteration of the accusations brought forward in his former article. To answer these in detail, would be merely to go over again my former ground. And this is also the less necessary, as his Majesty's Commissioners of Inquiry have returned from the colony, and their report will, probably, be soon laid before Parliament. The very great unhealthiness of the colony appears, however, to be so generally believed, and Mr. Macqueen is so bold, and yet so unfounded, in his assertions on that head, that I cannot allow his new statements to go altogether unexposed.

Mr. Macqueen, with his usual hardihood, publishes, in a note at page 324, a list of twenty-nine officers, who, he would wish the world to believe, died at Sierra Leone, between October 1824 and March 1826. He appears to have ample means of access to any infor-

mation he may wish to possess ; for not only does he obtain the names of the persons dying on the coast, but he gives even their respective ages and length of residence. He could not, of course, be ignorant where they actually died ; and any insinuation therefore, on his part, that they died at Sierra Leone, could only be intended to mislead the people of England.

The publication of this list is so far satisfactory, as it affords another proof, if any were wanting, of the faith which may be reposed in the justice of Mr. Macqueen's accusations against Sierra Leone, and in the truth of his pretended facts ; while it enables us to compare the rate of mortality at Sierra Leone with that on other parts of the coast. I subjoin the list as it appears in Mr. Macqueen's letter ; and to each name (excepting two, of whom all I certainly know is, that *they did not die at Sierra Leone*) I have added the station where the death took place*.

Name.	Place of Death.
James Chisholm, Major	Gold Coast.
Thomas Burton, Lieutenant ...	Gambia.
P. J. de Baruellir	Gold Coast.
Patt. Cannody, Ensign	Ditto.
Robert Smith	Not at Sierra Leone.
Charles Lizars, Lieutenant ...	Gold Coast.
— Uniacke, Ensign	Ditto.
James Oxley, Lieutenant	Ditto.
Colin Oxley, Volunteer	Ditto.
H. W. Graham, Lieutenant ...	Gambia.
Geo. Foss, Lieutenant	Sierra Leone.
John Stapleton, Lieutenant ...	Ditto.
Ph. Splain, Lieutenant	Isles de Los, or Gambia.

* Some of the names are wrong spelt, and some of the ranks erroneous, as also the length of residence. These mistakes, however, do not affect the main question at issue.

Name.	Place of Death.
William Ross, Captain	Sierra Leone.
Duncan Robertson, Lieut. ...	Ditto.
Charles Gordon, Ensign	Gold Coast.
Charles Turner, Maj.-General	Sierra Leone.
Donald Turner, Lieutenant ...	Ditto.
— Turner, volunteer	There was no such person.
Thomas Inglis, D. Inspector	Sierra Leone.
Hugh Paterson, Hosp. Staff	Isles de Los.
— Williamson, ... ditto ...	Ditto.
J. W. Grant, B. M.	Gold Coast.
Lt. W. O. Aitcheson, R. M.	Ditto.
J. W. Whiley, D. Com. Gen.	Ditto.
J. M. Kennedy, Com. Clerk	Sierra Leone.
— Jabbot, ... ditto ...	Not at Sierra Leone.
— Cartwright, Lieutenant ...	Gold Coast.
— George Huntley, Ensign	Sierra Leone.

It thus appears, that of this list of twenty-nine deaths, twenty did not take place at Sierra Leone; and that, although Sierra Leone was the head-quarters, and had always more officers resident than at the other stations, yet the number of deaths there (including General Turner and the others who died in consequence of fatigue and exposure in expeditions *beyond the colony*) was not one-third of the whole; whilst on the Gold Coast, in the same latitude with Fernando Po, and not very distant from it, nearly one half of the whole mortality occurred.

Equally incorrect is Mr. Macqueen in his statement of the deaths amongst the medical gentlemen. He says, “seven died at Sierra Leone in the course of a few months subsequent to March last year;” and he gives the names of six. Of these, however, I believe one only died at Sierra Leone, viz. Hospital-assistant Boage. Dr. Cartan did not die at Sierra Leone; nor did Dr. Cahil; nor Assistant-surgeon

Regan ; nor Assistant-surgeon Creighton ; nor (I believe) Assistant-surgeon M. Stewart. Who the nameless seventh is, I know not.

Other instances are equally unfounded. Lieutenant Waring was, and I hope is, alive on the Gold Coast. Mrs. Morgan is alive in England. — But enough has been stated to prove, that, however bold are Mr. Macqueen's assertions, he is either deceived himself, or he wishes to deceive others. He is at liberty to choose the alternative, as either supposition will shew how unworthy of credit he is in the accusations he thinks proper, for valuable reasons no doubt, to bring forward against Sierra Leone, and the system of African civilization carrying on in that colony.

At page 76 Mr. Hamilton is mentioned as still at Sierra Leone. I am sorry to say he died there, after a residence of twenty-five years, in January last.

In stating, at page 115, my belief that Lieutenant Poingdestre was " the only officer " of the Navy who had died on the windward coast, I ought to have said, " the only *commanding* officer."

To the list of naval captains, who, in the same page, are referred to as being acquainted with Fernando Po, I ought to have added the names of Commodore Bullen, and Captains Grace, Hagan, Kelly, and Owen.

I am sorry to be obliged to call the attention of the reader to a long list of errata, chiefly in common names, caused by my absence from town while the sheets were passing through the press.

ERRATA.

Page 42, line 24: *for* census of 1825, *read* census of 1822.

71, — 3: *for* W. Miller, *read* W. Hutton.

— 14: *for* F. Cole, *read* T. Cole.

73, — 5: *for* M. Fillager, *read* M. Tilley.

— 13: *for* J. Mentga, *read* J. Martyr.

— 16: *for* Superintendant R. Cole, *read* Clerk C. Cole.

75, last line: *for* MacGonne, *read* MacGoune.

77, — 2: *for* Kendall, *read* Rendall.

— 3: *for* Spencer, *read* Shower.

89, — 9 from bottom: *for* Kenghary, *read* Kang Kang.

— 7 from bottom: *for* Soombra, *read* Soombia.

96, — 5: *for* Esparillo, *read* Espaniola.

110, — 27: *for* land, *read* seed.

115, — 29: *for* Willis, *read* Willes.

117, — 7: *for* Boove, *read* Bouree.

THE COLONY OF SIERRA LEONE,

&c. &c.

A SYSTEMATIC and persevering attack has been carried on against Sierra Leone from its first foundation. All persons interested in upholding the Slave Trade, or Slavery, have considered that colony as an object of hostility, and have endeavoured, by maligning and misrepresenting the system carried on there, and the effects of that system, to divert the attention of the people of England from the abuses of their own. The friends of Sierra Leone have for some years ceased to notice, with any degree of seriousness, these often refuted calumnies; but the unwearied hostility of its enemies has not, on that account, abated. Their unfounded and disproved charges have been repeated again and again; they have been transferred from newspaper to magazine, and from magazine to newspaper, until the country has been made to resound with tales of Sierra-Leone enormities, and Sierra-Leone calamities; and a very general, but I trust to shew a very unjust, idea has prevailed that, for every purpose of civilization and improvement, this colony has entirely failed; that the experiment there made has not only been enormously expensive, but that it has been grossly mismanaged, and has proved abortive. It is confidently affirmed, that Great Britain has obtained nothing but disappointment by all her exertions and all her expenditure; and that a consideration of the nature of the place concurs with the experience of the past, in proving, that there can be no hope of any better results for the time to come. At length Mr. Macqueen, one of the

oldest and bitterest enemies of Sierra Leone, comes forward with a long-matured and elaborate article, intended to concentrate, in one view, all the charges against this ill-fated settlement, and which has for its direct object to convince the public, that, after all that has been done there, after the heavy expenditure of life and money which has been incurred in establishing it, it ought, even now, to be abandoned; and instead of vainly continuing to waste any farther exertions or expense upon so hopeless a colony, that a new experiment should be commenced in the unknown forests and unexplored mountains of Fernando Po.

Mr. Macqueen is well known to be an able and acute controversialist: and it is not unfair to suppose that, in a laboured work, brought out at the opening of Parliament, for the evident purpose of influencing the minds of the Government and Legislature on this favourite question, he would put forth all his strength, and would condense in it all the fruits of his unwearied investigations, of his reading, and of his correspondence; that every possible accusation would be preferred, and every particle of attainable proof exhibited, in order to effect his object. And every reader of his letter to Mr. Hay, (see Blackwood's Magazine for Dec. 1826,) must allow, that whatever ability, industry, and bitter hostility could enable an enemy to effect, he has attempted.

The accusations brought by Mr. Macqueen against Sierra Leone are neither few nor unimportant: they may be pretty well summed up in his own words—"We have not obtained one object. We have not succeeded in any one undertaking which we had in view. We have done no good whatever; we have removed no existing evil; and we have, by our proceedings, tended greatly to aggravate and to extend evils which exist, and which have always existed in Africa."

To establish these charges, he puts forward hardy assertions, often without an attempt at proof; quotes pretended extracts from public documents; and, in a few instances, refers to the statements of individuals. Being well aware, however, that contrary assertions, proofs, and statements had been adduced, and would again be adduced, he makes a bold attempt to get rid of them all by the following sweeping charge:—"A

studied system of deception, imposition, and delusion, has been practised upon this country by those connected with Sierra Leone, and who also assumed to themselves the whole direction and control of African affairs during the last thirty years. The length to which this system has been carried almost exceeds credibility, and yet it can be substantiated by undeniable facts. It is time the veil was torn asunder.

“ It would be an unnecessary, as well as an unproductive task, to wade through all the publications which Sierra-Leone sophists have sent forth since the year 1791, to adduce their flattering and pompous statements, regarding the flourishing condition of the place and its concerns, in proof of their concealment of the truth. In every one of them, and in every page of them, these deceptions abound and are to be found.”

The only proof Mr. Macqueen adduces, in support of this charge, are extracts from the Reports of the African Institution, resting on the authority of Sir Charles MacCarthy, or of the Church Missionary Society, witnesses at least as much to be relied upon as Mr. Macqueen, who himself has never been at Sierra Leone. His assertions indeed, however bold, are, and may be shewn to be, either the fabrication of his own brain, or the unsupported and often anonymous accusations of others. As for the proofs he pretends to give from various publications, I shall hereafter examine their weight.

Who are, in fact, the persons whom he thus accuses of an infamous conspiracy to mislead and deceive his Majesty's Government and the people of this country? They include, of course, the Directors both of the Sierra Leone Company and of the African Institution*. They further include many

* I need not transcribe the names of the Directors of the African Institution who are implicated in this charge of a base conspiracy. They are to be seen at the commencement of any one of its numerous Reports. It may be more necessary to state the names of those individuals, who conducted the affairs of this colony from its commencement in 1791, to the year 1808, when it was transferred to the Crown. During the whole period of the Sierra Leone Company, Henry Thornton, Esq. M.P., was its Chairman; Charles Grant, Esq. M.P., Deputy Chairman; and W. Wilberforce, Esq. M.P., T. F. Forster, Esq., Joseph Hardcastle, Esq., John Inglis, Esq., John Kingston, Esq., Samuel Parker, Esq., John Prinsep, Esq., Granville Sharp, Esq., and George Wolfe, Esq., Directors. Sir Charles Middleton, afterwards Lord Barham, and Thomas Clarkson, Esq., acted as

distinguished persons in the different walks of public life, ministers of the Gospel, officers of his Majesty's military, naval, and civil service, and also of foreign powers—men of rank and character, and of unimpeachable integrity; the value of whose testimony it would be an insult on the understanding of the people of England, on the feelings of the living, and the memory of the dead, to compare with the assertions, however bold, of a man like Mr. Macqueen, whom I shall prove to be unworthy of confidence, he having stated as facts what he knew to be untrue, and having quoted, as genuine, extracts which he knew to be garbled.

This is a strong accusation, but not more strong than just; and, if proved, I leave you, sir, to judge of the merits of that cause, to support which such conduct is necessary.

Mr. Macqueen charges all the blame of the pretended failure of Sierra Leone on certain plans and arrangements of the African Institution, which he asserts to have influenced and guided the Government in all their measures relative to that settlement.

Now whatever might have been the wishes and the objects of the African Institution, they could only carry them into effect by suggestions either to his Majesty's Ministers, or to those who had the immediate management of the colony; over neither of whom had they any authority whatever. The administration of the colony was in the hands of men appointed by the Crown, and responsible to it; and though, in many instances, the views of the Governors may have coincided with those of the African Institution, and though some of them may have entertained great personal consideration for the individuals composing that body, yet it is notorious that this was not always the case. Indeed the very first Governor sent out, after the transfer of the colony to the Crown, made it his object to overturn all the previous arrangements of the Sierra Leone Company, and to pursue a perfectly opposite system. His successors, it is true, did not adhere to his schemes; but in following a different line of conduct they were wholly guided either by the instructions of his Majesty's

Directors till they quitted London; and the Hon. Edward James Eliot till his death. They were succeeded by Lord Teignmouth, Thomas Babington, Esq., M. P., and Edward Parry, Esq.

Government, or by their own views of what the state of the colony required. Subsequently to the year 1808, the year in which the colony was transferred to the Crown, not one of the successive Governors or Judges received his appointment through the influence of the African Institution, or of any of its members. Not one of them was even previously known to the members of that body ; and, being all men looking forward to promotion in his majesty's service, there can be no doubt but that to the Government alone did they look up for approbation and reward*.

My object, however, is not to defend the African Institution, but to shew that they did not form, or guide, or controul in any way, the government of the colony ; that its good or bad management, since 1808, belongs to the individuals composing at different times that government, or to the Colonial Department, under whose instructions alone they acted. So far from one uniform system having been pursued in any one point—not to say in the whole system of management, as Mr. Macqueen would have us to believe—the colony has been grievously injured by the want of any systematic plan or rule of conduct having been laid down for its government, by which its prosperity might have been promoted, or the experiment of African civilization fairly tried. Every Governor has been left to follow his own plans, however crude and undigested ; and no two succeeding Governors have ever pursued the same course. This remark applies more particularly to the management of the liberated Africans. Mr. Ludlam pursued the system of apprenticing them. Mr. Thompson set that aside, and turned them loose in the colony, without any other superintendence than its general police. Captain Columbine employed them on the public works, or apprenticed them. Colonel Maxwell, after delivering over, to the persons appointed to receive them, all the men fit for his Majesty's service, apprenticed a part of the remainder, and then commenced forming villages with those who could not be so dis-

* Captain Columbine, Colonel Maxwell, Sir Charles MacCarthy, General Turner, and Sir Neil Campbell, were all men utterly unknown to the Directors of the African Institution, previous to their appointment as Governor of Sierra Leone. The successive Judges, Dr. Thorpe, Dr. Hogan, and Mr. Fitzgerald, &c. &c., were equally unknown to them.

posed of. Sir Charles MacCarthy gave up apprenticing, except in particular cases, and adopted the plan of forming them into villages, under such civil superintendence and religious instruction as he could command, keeping the youths and children in schools, or making mechanics of them; neglecting perhaps too much, in his successful attempt to make them orderly and quiet citizens, the equally desirable object of making them industrious agriculturists and growers of exportable produce. General Turner dissolved, in a great measure, the schools, and the institutions for mechanics, and threw the people more on their own resources; but did not afford, indeed he did not possess, the means of duly superintending their settlement and progress, or directing their energies.

Mr. Macqueen commences his attack on the colony by what he is pleased to term its immense expense, and which, by a mode of calculation peculiarly his own, he raises to upwards of 16,000,000*l*. He may have supposed that this extraordinary array of figures would alarm that large portion of the nation who never think for themselves, and who will believe assertions, however false and absurd, merely because they are in print, and are there boldly hazarded. He could not, however, for one moment, have expected to gain the belief of any one whose opinion is worth having; much less that Government or Parliament were to be imposed upon by such a tissue of falsehood and unmeasured exaggeration. It would be ridiculous to enter into a regular refutation of every item of this long account, even if I had access (which I have not) to all the necessary public documents; I must therefore be contented with calling your attention to a few of its more glaring absurdities.

A writer in the Quarterly Review, for September 1826, is pleased to "imagine," upon what data he says not, that "the expense of keeping a squadron constantly employed for the suppression of the Slave Trade, the bounty of ten pounds per head paid for every Slave captured, and all the salaries and other expenses of the Mixed Commission, fall not far short of half a million a year" (p. 605). The loose and erroneous assumption of this writer is eagerly caught at by Mr. Macqueen; and he exhibits it in his statement No. I.

as the amount of expense incurred, under the "two heads" of Bounties and Salaries, to the enormous extent of 9,500,000*l.* Nay, though the Mixed Commission Court was only established in 1819, he carries the annual expense attending it back to 1807, and states the whole as one small item of the expense of Sierra Leone; just as if it had any thing more to do with Sierra Leone than the expense of the military asylum and college (great national objects) have to do with the parochial expenditure of Chelsea. But fearful, even here, of not charging enough, we find him, in No. VIII. a little farther, adding, 40,000*l.* for the salaries of the Judges of that very Commission Court, and in No. XII. 665,211*l.* 3*s.* 4*d.* for those very bounties which he had already charged so sweepingly against this poor colony in No. I.

What connexion not only these but some other charges can have with Sierra Leone, to which they are obviously quite extraneous, it would be difficult to discover:—for example,—Expense of Gold Coast and Ashantee War, £ 239,465 2 5½ Recruiting service 1812 and 1814, and Black

Troops 1793 *	20,108	0	0
Liberated Africans in the <i>West Indies</i> . No. X.	274,370	0	0
Pensions to disbanded African Soldiers †.			
No. XI.	250,966	0	0
<i>United States</i> , for slaves carried away and value awarded by the Emperor of Russia.			
No. XII.	380,329	0	0
Paid for captures ‡. No. XIII.	861,904	0	0
Loans remitted to Portugal and money paid to Spain for the treaties to abolish the Slave Trade §.	1,001,774	7	9
Expense of moving and subsisting Maroons ||.			
No. VIII.	80,378	2	1

* These were entirely for West-Indian service.

† These had been chiefly employed in defending the West Indies.

‡ The blame of this item obviously attaches in no degree to Sierra Leone, but to the British Government, their cruisers and judges.

§. Why not add the unpaid loan to Austria? It was as much a Sierra-Leone object as the payments to Spain and Portugal.

|| Oppression and injustice drove these Jamaica Maroons into resistance. After that resistance had ceased, and they had delivered up their arms on

Mr. Macqueen, in short, seems to have spared no exertion, no research. He has hunted out every farthing of money paid by the public, or claimed of them, on account of Sierra Leone; but, not content with this, whenever he finds an expense incurred which has to do with a Negro or a Slave, in any part of the world, it is put to the charge of Sierra Leone. Nay, whenever he finds an item charged, if it be but for one or two years, he charges it for the whole term of the colony, or for as many years as he deems convenient. For example, he says the expense of Sierra Leone to Government was, in 1804, 14,000*l.* : *ergo* its expense from 1791 to 1800, was 10,000*l.* annually, making an item (in No. II.) of 90,000*l.*, when in fact the public did not, during that time, pay one farthing. The first payment was in 1800.

Again : because a small ordnance establishment has existed at Sierra Leone since 1818, and because new barracks have been building in 1825 and 1826, he assumes that the annual expense of Sierra Leone on these accounts for nineteen years has been 9328*l.* 2*s.* 2*d.*—or in all, 175,523*l.* 2*s.* 2½*d.*

Again : because that part of the annual Parliamentary grant for public buildings drawn for by Sir Charles MacCarthy, between 1st Dec. 1821 and 16th April 1824, is mentioned in a finance report, therefore the annual expense at Sierra Leone, for public buildings, has been 11,459*l.*, or, in the period of nineteen years, 217,711*l.*

Again : when, by adding together the amount of expenditure at Sierra Leone for liberated Africans, in several expensive years*, he is enabled to make the average of those

the faith of a solemn treaty, the breach of that treaty by the legislature of Jamaica drove them from their native country, and sent them ultimately to "this pestilential swamp." But how is this expense fairly chargeable to Sierra Leone, rather than to Jamaica ?

* To shew the utter disregard even to appearances with which this falsification is effected, he charges the sum of 45,000*l.* for the year 1825, when he knew, because he quotes the document (Par. Pap. No. 389, 1826), that it was only 17,671*l.* 0*s.* 3½*d.* Again, in a note at page 878, he states, "By Par. Pap. No. 389, of 1826, the expense which each of the liberated Africans cost (including the supplies sent from England), was 10*l.* sterling." This document however says no such thing; it makes no calculation of the expense. It is General Turner's letter to Earl Bathurst,

years 37,711*l.*, 11*s.* 3*d.*; he assumes this to be the annual expense for the whole time: and then, by taking the average of two votes for supplies sent from England for their use, he makes a further annual addition to this sum of 11,000*l.*; thus making the total annual expense of liberated Africans in that colony, since 1807, to be 48,111*l.* 11*s.* 3*d.* or 925,509*l.* 13*s.* 6*d.* in all. Whereas, in fact, the real expense has not been half that sum, as may be seen below, p. 15.

There are many other equally incorrect statements, scarcely worth mentioning amid such enormous profusion. For example: in No. VIII. he supposes the church to have cost 50,000*l.* He supposes also Government to have paid the Sierra Leone Company for the subsistence of the Maroons 50,000*l.*; when the whole sum was about 7000*l.* He supposes Government to have paid them for the Nova Scotians, the sums of 20,000*l.* and 33,432*l.**, when no such sums were paid. He charges damages for Governor Maxwell, 20,000*l.* although not a third of that sum was paid on that score.— But it would be useless to go through all his imaginations and suppositions.

Equally deceptive are his statements when he pretends to give the items of expense which may fairly be charged to the colony, or to the liberated Africans settled there.

which only incidentally gives the sums expended for certain years; which, in the most expensive year, is just two fifths of what Mr. Macqueen states it to be. The most expensive of these years was 1823, when the colonial part of the expenditure amounted to . . . £ 40,907 4 9

The supplies from England, assuming them to

be the same as in 1825	11,700 0 0
	£ 52,097 4 4

The number of the liberated Africans in that year was 13,000, making the expense of each 4*l.*, and not 10*l.* as Mr. Macqueen asserts.

In 1825 the expenditure was

£ 17,651 0 3
The supplies (see Par. Paper. No. 212, of 1826) 11,700 0 0
£ 29,351 0 3

The liberated Africans in that year amounted to at least 16,000, so that the expense of each was only 1*l.* 16*s.* 8*d.*

* Mr. Macqueen quotes in proof of the payment of these two sums, a letter of Mr. Macaulay, p. 39. The precision of this reference would lead any one to suppose that he must have quoted exactly. But in truth no such payment is stated to have been made in any letter of Mr. Macaulay, and the fact itself is untrue.

He gives, in No. II. from a parliamentary return, No. 503 of 1825, the annual estimates for the civil establishment of the colony from 1807 to 1825 (eighteen years), as 316,074*l.* 19*s.* which is nearly correct (being an average of 17,559*l.* 14*s.* 6*d.* per annum); but this includes, in addition to the salaries of the civil officers, the sums annually voted for public buildings, which he, however, ingeniously forms into a separate charge, as has been already remarked, of 217,711*l.* under his head No. VII.

Under the head No. III, he charges upwards of one million for "Military Establishment—Army Extraordinaries," when the above parliamentary return distinctly states this to be the "total amount of bills of exchange paid for the service of Sierra Leone." From 1808 to 1815, and for the year 1822, the sums he gives us and those of that Return are precisely the same. For the years 1816, 1817, 1818, 1819, 1820, 1821, and 1823, he makes the military expenditure more by 13,858*l.* 8*s.* 9½*d.* than the Treasury return states to have been paid. He does this, although he must have known that the whole military expenditure—be it regimental or staff pay, be it incurred under the head of commissariat, ordnance, or army extraordinaries,—is all paid for by bills on the Treasury; and therefore must be included in the above return. He is also equally aware, that as Sierra Leone is the head-quarters of the whole western coast of Africa, the sums here returned, as drawn for, must include the military expenditure not only of Sierra Leone, but of the *Coast*, and of a large and expensive recruiting establishment for the *West Indies*.

Mr. Macqueen concludes his farrago of figures by the assertion, that "nearly the whole of these enormous sums pass, in one way or another, through the hands of one merchant in London."

The individual here intended is Mr. Zachary Macaulay. That his exertions for the benefit of the African race, should draw upon him the obloquy and hatred of Mr. Macqueen and his employers, was to be expected. They have accordingly unsparingly poured upon him every species of abuse, however unfounded, and of scurrility, however

vulgar; and they have stuck at no falsehood, however gross, in their attempts to misrepresent his views and blacken his character.

No person can know better than yourself, or Earl Bathurst, the utter groundlessness, the absolute falsehood, of the malignant assertion here made by Mr. Macqueen. You know, sir, that with the expenditure of Sierra Leone, since its transfer to the Crown in 1807, be it great or small, Mr. Macaulay has had no concern directly or indirectly. No part of it has passed through his hands, either "in one way or another." He did indeed, as agent for some of the officers engaged on the coast of Africa in carrying the Abolition Acts into effect, receive the bounties due to them; but those transactions, which had nothing to do with expenditure of the colony of Sierra Leone, have been closed for many years. A well-paid mercenary, like Mr. Macqueen*, may be unable to appreciate that disinterestedness which will toil and labour for the mere sake of a good cause: but there are others who can. And all, who are acquainted with Mr. Macaulay, know that he has not been backward in sacrificing his time, his talents, his ease, his health, and his private interests, in order to vindicate for the African race those rights to which they are entitled by the laws of nature and of God.

The real expenditure of Sierra Leone, when compared with these exaggerated statements of Mr. Macqueen, will prove a mere trifle. Nay, even when compared with the opinion which may exist on the subject among many well-informed persons, it will appear, I doubt not, to be small. I will endeavour to class it under its various heads; and though, from not having access to some official documents, I may not be *literally* correct, my statement will be found very near the truth. In doing so I shall confine myself to the expenditure since the transfer of the colony to the Crown in 1808. Any sums voted previously to that event, were voted after a long and

* It is computed that Mr. Macqueen must have received, at least, 15,000*l.* from votes of the West-Indian legislatures, and from public subscriptions in the colonies, for his services since 1823. It is equal to an annuity on his life of 1000*l.* per annum. This is, without doubt, the secret spring of all his violence and exaggerations.

patient parliamentary investigation, when this much-abused colony was labouring under the slanders of the Macqueens of other days; and have been satisfactorily accounted for by the Directors of the Sierra Leone Company.

1. The first and most important item is the Military Expenditure—an expense, however, which ought scarcely to be charged to the colony at all. The colony has never required, since 1808, any military force for its internal peace; and it has never had occasion for the effective service of 100 men for its external defence. A considerable force was at times kept up on the coast, but only a small part of it was stationed at Sierra Leone. I feel confident, that, up to the year 1816, when Senegal and Goree were delivered to the French, there never were at any one time in the colony 150 serviceable soldiers, exclusive of recruits intended chiefly for the West Indies; and that, from the years 1817 and 1818, when the greater part of these troops were sent to the Cape of Good Hope, to the year 1825, there never were above 200 men, with the exception of the recruits above mentioned, and of the West-India regiments sent there, not to serve, but to be disbanded. In the amount charged for the military expenditure of Sierra Leone, are also included large sums drawn on account of its dependencies in the Gambia and on the Gold Coast;—the expense of the recruiting depôts from 1812 to 1824;—the expense of the whole force on the coast, when removed to the colony for distribution, after the cession of Senegal and Goree;—the expense of the West-India regiments sent there to be disbanded;—and, subsequently, the amount of pensions paid to these disbanded soldiers for services rendered to this country chiefly in her slave colonies.

In proof that this view of the case is correct, allow me to state a few facts. In 1810, the system of recruiting for the garrison on the spot, instead of sending convicts from England, commenced; and the military expenditure of Sierra Leone rose in one year from *25,853*l.* 4*s.* 3¼*d.* to 36,291*l.* 13*s.* 3¼*d.* In 1812, the system of recruiting for the *West Indies* commenced, and another rise took place, in one year, of from 41,549*l.* 9*s.* 1*d.* to 55,330*l.* 3*s.* 4*d.* As the

* See Parl. Pap. 503, of 1825.

West-Indian recruiting depôts increased, so did the expense attending them. But in 1816 the whole force upon the coast was removed to Sierra Leone, and the expense, as might be expected, underwent a further increase, of from 58,951*l.* 15*s.* 2*d.* to 89,919*l.* 17*s.* 6*d.* This force, however, was after a time disposed of: some were disbanded, the rest sent to the Cape of Good Hope: and the expenditure was reduced, in 1819, to 41,219*l.* 16*s.* 0½*d.* In 1820 and 1821 the West-India regiments arrived at Sierra Leone, and were disbanded there, and the expenditure rose in the first year to 56,340*l.* 11*s.* 6½*d.* and in 1821 to 69,394*l.* 0*s.* 9½*d.* But the disbanded men having been located in the colony, the expenditure was reduced even below its former level: in 1822 it was 34,291*l.* 10*s.* 7*d.*; and in 1823, 35,826*l.* 13*s.* 5*d.*, although the Ashantee war had begun, and recruiting depôts for the coast and the West Indies were in full activity. In 1824, White troops were unhappily again sent to the coast; while in the West Indies there arose a fresh anxiety to obtain again that protection of Black soldiers, against which they had before made the most clamorous remonstrances, until they had got them disbanded, at a heavy expense to the public. In consequence, probably, of the dreadful mortality of some of our finest regiments stationed in those colonies, Black regiments were again ordered to be raised; and an experiment was at the same time commenced of forming an African Colonial Corps out of the refuse of White regiments. That such an experiment proved expensive, and that the mortality consequent upon it was great, is undeniable; but let both these evils be charged to the projectors of so fatal a scheme, and not to the colony of Sierra Leone, or to the African Institution, who deeply lamented it.

The military expense incurred on account of the colony cannot, it is true, easily be distinguished from the total amount of that branch of expenditure; but when we see that in 1808 it was only 12,568*l.* 9*s.* 1½*d.*, and in 1809, 25,853*l.* 4*s.* 3½*d.*; and that in 1822 it did not amount to more than 34,291*l.* 10*s.* 7*d.*, and in 1823 to 35,826*l.* 13*s.* 5*d.* though burdened with the Ashantee war and with recruiting depôts for the West Indies, we shall not be estimating it too low in placing it at 25,000*l.* per annum for the seventeen years,

from 1808 to 1824 inclusive; or in all, 425,000*l.* The expense of White regiments for 1825 and 1826 must have been great; but is no fair charge against the colony, for whose defence they were not required. There, they were a nuisance and a burden, instead of a benefit. They were sent out indeed, not with a view to Sierra Leone, which had not the slightest occasion for them, but with a view exclusively to the Gold Coast.

2. The Civil Establishment of the colony, from the year 1808 to 1823 inclusive, appears, by the Parl. Paper, No. 503, of 1825, to have cost 275,267*l.* Mr. Macqueen adds for the next three years, 56,269*l.*, which, probably, is correct; making 331,536*l.* in nineteen years, being an average of nearly 17,500*l.* per annum. This includes all sums granted for public buildings, though Mr. Macqueen, as usual, charges separately for these. No other sums were ever granted or paid by the public, on account of the civil establishment of the colony, except some deficiencies of Governor Thompson, in 1809 and 1810.

3. The next item of expenditure is for liberated Africans, an expense which does not belong to the colony. Place these people where you will, they must prove a source of expense; and the only fair question is, Can you support them, and carry the intentions of the Government and Parliament respecting them into effect, any where else, at a less expense? If so, let it be done.

The amount expended on this account, from the 12th February 1810, to the 31st December 1813, was (see the Parliamentary Paper, No. 354, of 1814)£11,528 0 5

I can find no account of the expense previous

to the 11th February 1810; but as the number

of liberated Africans was then small,

and they were nearly all apprenticed out,

or working for wages, it could not exceed... 1,500 0 0

£13,028 0 5

No supplies whatever were sent from England during this period. According to the Parliamentary Return, No. 389, of 1826, the expense subsequently was as follows, viz.

From Jan: 1 to Dec. 31, 1814	...	£ 8,088	6	4	
ditto ditto 1815	..	10,825	15	3	
ditto ditto 1816	..	13,254	0	11	$\frac{1}{4}$
ditto ditto 1817	..	21,954	9	4	$\frac{1}{2}$
ditto ditto 1818	..	21,400	6	2	$\frac{3}{4}$
ditto ditto 1819	..	24,234	2	4	$\frac{1}{2}$
ditto ditto 1820*	...	36,188	17	0	$\frac{1}{2}$
ditto ditto 1821	..	34,214	5	1	$\frac{1}{2}$
ditto ditto 1822	..	35,250	1	9	$\frac{1}{2}$
ditto ditto 1823	..	40,907	4	9	$\frac{1}{2}$
ditto ditto 1824	..	31,065	1	0	
ditto ditto 1825	..	17,671	0	3	$\frac{3}{4}$

The expense of 1826 will be less, but

I will take the preceding sum,..... 17,671 0 0

To this I add, for supplies sent from

England during the last eight years,

an estimated annual sum of 12,000/.,

being unquestionably above the real

amount 96,000 0 0

£ 421,752 10 11 $\frac{3}{4}$

4. The only other expense incurred at Sierra Leone, and paid by England, is for Contingencies; that is, expenses incurred, not in the colony itself, but in missions and presents to native chiefs, and other charges of that nature; the average amount of which I think must be highly estimated at 800/. Taking it at this sum, for nineteen years, it will make 15,200/.

As to the Colonial Revenue and Expenditure, which Mr. Macqueen brings into his account, it is raised in the colony, by colonial authority, and for colonial purposes: it is not levied under any authority of the Government or Parliament of this country; nor can it possibly concern the British nation what proportion of their property the people of Sierra Leone choose to apply to objects of their own of a public nature.

The other charges scattered through Mr. Macqueen's letter may be classed under two or three heads. This I will proceed to

* In this year the West-India regiments were disbanded, and the expense of locating them among the liberated Africans commenced.

do ; and endeavour at the same time to compare the very unsatisfactory nature of the proofs he professes to bring forward in support of them, with the testimony of a contrary kind, which has been given by men above all suspicion. Though aware how unable I am to do full justice to this subject, yet, relying on the truth of my case, I hope to convince you, that Sierra Leone, far from being a source of disappointment, has improved as rapidly, considering the circumstances in which it has been placed, as any man could reasonably expect.

To estimate justly the degree of progress in civilization, improvement, and prosperity which might reasonably be expected, it seems necessary to call your attention to the heterogeneous mass of which its population is composed. For this purpose I will take the official census of 1822 (the last that has been published); and this, though not in my opinion perfectly accurate as to numbers, will yet shew the nature and proportion of the various classes of its inhabitants. It must also be borne in mind, that since that time a large increase of the newly liberated Africans has taken place by importation, whilst there has not been a proportionate increase of the other classes. The population then in 1822, (exclusive of the factories and other settlements up the river) consisted of the following classes—viz.

1. Europeans including the members of the government and of the civil, judicial, and religious establishments of the colony; the missionaries, merchants, mechanics, and adventurers of every description, (exclusive of the garrison)..... 128
2. The Maroons, who were sent from Jamaica, and their descendants, of whom many are now persons of consequence and property..... 601
3. The Nova-Scotians, being the original settlers brought from America in 1791, and their descendants, several of whom are also persons of property and respectability..... 722
4. Exiles from Barbadoes, in consequence of the insurrection of 1816, together with a few North-American Blacks who have settled in the colony 85
5. Natives of Africa, who have voluntarily taken up

- their abode in the colony. Of these a small part are natives of the peninsula of Sierra Leone; the remainder are natives of the surrounding and interior countries, who have, of their own accord, either settled permanently in the colony, or made it their temporary residence. Of this class the largest part are adults, and are either Mohammedans or Pagans, who adhere to the rites and customs of their own respective religions, and are quite indifferent to Christianity 3526
6. Liberated Africans, comparatively few of whom, it must be recollected, have been long in the colony; and of whom there is imported, every year, a large additional number in the lowest state of ignorance and degradation 7969
7. Discharged soldiers, principally liberated Africans, the rest having originally been purchased as slaves in the West Indies, and who were disbanded in 1820 and 1821 1103
8. Kroomen, a body of labourers who, though the total number is generally the same, are, individually, constantly changing. Strongly attached to their own country and its customs, though they will migrate freely for a time, no inducement can prevail with them to remain long absent from it, or to relinquish their native superstitions 947

15,081

Of the population of the colony, there is thus a fourth part for whose improvement in moral conduct, or for whose conversion to Christianity (beyond the enforcement of obedience to the laws of the colony), no regular provision has been made: they neither profess to be Christians nor to follow the precepts of Christianity. Now one of Mr. Macqueen's charges is, that the representations made of the morality, religion, and good example of the colony are false; and he affects, in several instances, to prove that they are so. This attempt at proof he commences with professed extracts from the work of "that intelligent traveller, Major Laing." Now, although I have no objection to Major Laing's

authority on general subjects, yet there are some circumstances in his case which render it necessary to inquire whether his work may be regarded as conclusive authority on the points at issue. He was brought up in the West Indies, and may therefore not unreasonably be supposed to have had prejudices against the colony; and yet it can be proved, that, when he finally quitted Sierra Leone, in November 1822, even down to the time of his quitting the coast, which was in June or July 1824, the opinion he had formed and expressed of Sierra Leone was favourable. In the preface to his work, we are told that it was during the above period that the first five chapters of it were written, nearly as they are now printed. In the August of that year, however, he went to Glasgow, and there, as I have been informed, became acquainted with Mr. Macqueen. How far that acquaintance may have affected the tone given to the latter part of his book I know not; but, still, to its general bearing I have no material objection to offer. Mr. Macqueen, however, has given as continuous extracts what are not so. He has, in some cases, joined sentences which occur in distant pages of the work; and he has, in other instances, given half sentences, leaving out the context, and inserting adjuncts of his own, in order to fix a meaning on the passages which they do not bear in the original.

There is, however, one serious charge, made against some missionaries by Major Laing, which requires full investigation, because it has been repeatedly brought forward by Mr. Macqueen, and because the truth or falsehood of particular facts, where the means of ascertaining the truth were accessible, must have great weight in determining the credit due to the assertions of the same parties in other cases. I do not, however, for one moment, allow that, even if the criminality of these individual missionaries had been fully established, it would furnish any fair ground of accusation either against the Church Missionary Society or against the colony at large. Individual cases of misconduct will occur in every situation; and, in my opinion, it redounds to the honour of that society, that, out of seventy-seven persons sent to the colony previous to the close of 1824, an acute and inveterate enemy,

like Mr. Macquëen, who spares no means of research, could only discover three acts of delinquency.—Mr. Laing says, “It has happened to myself to have seen *one* missionary lying drunk in the streets; to have known a *second* living with a Negress, one of his own parishioners; and a *third* tried for the murder of a little boy, whom he had flogged to death.” Now Major Laing must have known that the person *first* alluded to was a *discarded* schoolmaster of the Society—discarded for his misconduct—and that he was made drunk, as a frolic, by some young men, at a large dinner on his late Majesty’s birth-day. Who the individual is against whom the *second* charge is pointed, I have not the slightest conception; and though the matter has been frequently discussed in the colony, I never heard any one make even a probable conjecture of the individual to whom the imputation attached. The *third* refers to a person who was not sent out as a missionary by the Society, though he happened to be in their employment when the circumstance happened for which he was tried. He was a labouring mechanic in the colony, whose fair and steady conduct had induced the missionaries, in a great want of other assistants, to employ him at a newly formed settlement in the capacity of a teacher, the Governor having given him the civil charge of the village. The trial of this man is detailed at length in the Sierra Leone Gazette of the 31st March and the 7th April, 1821. It will there be seen, that considerable doubts existed whether the boy’s death was really caused by the flogging which this man gave him or not. It also appeared, that the accused was a labouring mechanic, and not a missionary, and that his previous good character, and humane conduct, were testified to on oath, by the Rev. W. Johnson, superintendant and rector of Regent; James Johnstone, Esq. superintendant of York; George Pilkington, Esq. civil engineer; and the Honourable Joseph Reffell, member of council, and chief superintendant of liberated Africans.

Major Laing was in the colony at the time when these transactions took place; he knew them perfectly, and could not be mistaken as to the facts; but he had been in Scotland before he wrote this accusation. At the same time, it is to

be remembered, on Major Laing's behalf, that the charge, so quoted by Mr. Macqueen, is only part of a sentence, introduced by him in a disquisition entered into to prove that an ecclesiastical and elementary establishment under Government, would be preferable to the efforts of a private society; and that, so far is Major Laing from alleging that the Missionary Society have not done good, he allows they have done much; and he only labours to shew that an ecclesiastical establishment, subject to the Governor, would have done more. This disquisition, which bears a very different sense from that Mr. Macqueen would wish to attach to it, by means of his insulated extract, may be found at page 386. to 389 of Major Laing's work.

A quotation is made from the latter part of this disquisition, which Mr. Macqueen brings forward as a charge against the colony;—"Considering," says Major Laing, "the special purpose for which Sierra Leone was originally formed, the length of time since its formation, and the *influence it has acquired among the nations of Western Africa*, it is a remarkable fact, that not a single missionary is to be found beyond the precincts of the colony; and that, even within the peninsula itself, on which Freetown is built, are several native villages in a peculiarly deplorable state of barbarism, which have never had the advantage of even beholding a missionary." Now attempts were formerly made, by the Church Missionary Society, to extend their labours among the native tribes; but of late years, since the accumulation within the colony of liberated Africans, and others, has become so great, the means of education and instruction have never been adequate even for their wants. That there are villages in the colony which have never seen a missionary, I cannot believe; and that there are any in a "peculiarly deplorable state of barbarism," I deny. That several cannot enjoy the benefit of a resident religious instructor, I allow; but that fact should be a stimulus to further exertions, not a reason for abandoning them altogether.

In what follows, I beg to call your attention to the manner in which Mr. Macqueen has made his quotations, and how, by subtractions, additions, and remote conjunctions, he has

endeavoured to give to the words of the author a meaning they were never intended to bear.

He says, "At Toma, a distance of only *forty-five miles* from Freetown, Major Laing was the first White man ever seen." This certainly is not given as a quotation: it may be only a misrepresentation. What says Major Laing, at page 49? "We arrived at Toma a little after four P. M., where (although not more than *sixty miles* from Sierra Leone) I learned that no White man had ever been before."

Mr. Macqueen goes on; "As Major Laing advanced into the Timmanee country, which almost borders upon the *gardens* of Freetown, he could not avoid expressing the greatest surprise on observing that it had gained so little by its vicinity to Sierra Leone. At Yeba, situated in the western part of the Timmanee country, where we stopped a night, the people appeared to be hardly a remove from the brute creation, and even called forth the pity of the companions (Negroes) of my journey."—This is given as one continuous quotation from Major Laing's Travels, and is marked as such. Now, what is the real case? It is taken from two different parts of the book, and dovetailed together, as I will shew below.—

Macqueen, p. 883,

Laing, p. 103,

"He could not avoid expressing the greatest surprise, on observing it had gained so little by its vicinity to Sierra Leone."

"Their agricultural instruments are certainly the simplest, as well as rudest, that I have ever beheld, and I could not avoid expressing the greatest surprise on observing, during my first visit to this country, that it had gained so little by its vicinity to Sierra Leone," "The hoe, &c." [and so on, to shew that hoes, flails, rakes, shovels, &c. would be acceptable and beneficial].

"At Yeba, situated in the *western* part of the Timmanee country, where we stopped a night, the people ap-

This part of Mr. Macqueen's continuous quotation comes from page 438, and is as follows.—

Macqueen.

peared to be hardly a remove from the brute creation, and even called forth the pity of the companions (Negroes) of my journey."

Laing.

"At Yeba, where we stopped a night, the people appeared to be hardly a remove from the brute creation, and even called forth the pity of the companions of my journey."

You will here see, that the words "*situated in the western part of the Timmanee country*," given as an extract from Major Laing, are a pure invention of Mr. Macqueen, to make these people *close neighbours* of the colony, when they were, in fact, a mixture of Korankos and Limbas, living one hundred and fifty miles from its borders, and quite in the eastern parts of the Timmanee country.

Mr. Macqueen goes on to say: "And he (Major L.) sums up the Sierra-Leone character (pp. 388, 389) when he says of Soolima, where he was the first White man ever seen, 'that it is at present higher than it is likely to be after they have had much intercourse with Sierra Leone;'" intending, of course, to convey the impression, that Soolima would suffer by its intercourse with Sierra Leone. Now, Major Laing says no such thing. He says, in page 388: "The respect in which *the character of a White man* is held among the Soolimas is general, and borders almost on veneration. I may hope that my residence among them did not in any respect diminish it; but it is at present higher than it is likely to be after they have had much intercourse with Sierra Leone." An acquaintance with many of the Whites of Sierra Leone—the convict soldiers, for example—will most assuredly not raise the European character in the eyes of the natives.

The remainder of the extract is followed, in Major Laing's book, by reasons why the opinion there put forth is correct, which Mr. Macqueen has omitted.

Mr. Macqueen's next extract from Major Laing is: "'The natives of Kissy,'" a country situated round the sources of the Niger, are so extremely barbarous and ignorant, that, 'without the least compunction, they will dispose of their relations, wives, and even children.'" How the wretched state

of the natives of Kissy, near the source of the Niger, can bear on the question of civilization at Sierra Leone, may not at first be very evident ; but when I supply *the note appended by Major Laing*, and which Mr. Macqueen has chosen to omit, it may become more clear, and, as far as Sierra Leone is concerned, very satisfactory. “ Several hundred natives,” says Major Laing, in the note at page 281, “ of this savage country, who have been liberated from slave-ships by the humane exertions of Great Britain, are established in a beautiful village named after their own country (Kissy), about four miles from Freetown, Sierra Leone ; where, at the expense of the British Government, they have been clothed and fed, *until able to support themselves by their own industry ; and where they are now settled in the enjoyment of full security of person and of property. Under the same protecting influence, and by means of missionaries supplied by the Church Missionary Society, they have been educated as Christians ; and all are instructed in reading and writing.* These are benefits conferred on Africa, by British interference and protection, of which an Englishman may well be proud ; and *which are rapidly obtaining for Great Britain an influence, in this vast continent, of a far deeper character than that which arises from temporary convenience or subjection.* When the capabilities of Western Africa are duly considered, for producing, by its native population, the articles of immense consumption which are at present supplied from other countries, under the far greater cost of forced labour, such measures will appear as politically wise as they are humane and beneficent.”

I may have to compare a few more of Mr. Macqueen’s quotations from Major Laing with the original, in a future part of this letter ; but I will now proceed to shew, that, to the time of his leaving the coast, Major Laing’s opinion of the colony was favourable ; and that to the very last, when he had no inducement, but that of truth, to speak in commendation of it, he could not avoid bearing his testimony to that effect.

Extracts of Letters from Major Laing.

“Yancoomassie Camp, Sept. 30, 1823.

“I expect, before I return, to have secured the independence of these nations, and a lasting as well as honourable peace to his Majesty’s subjects on the Gold Coast; after which I shall endeavour, and, I trust, not without a good claim, to get to England, *via my favourite colony Sierra Leone.*”

London, Jan. 24, 1824.

“I regret much that time is so precious that I cannot write you at length, or enter as I wish to do, at present, into my feelings and views with regard to the trade of Sierra Leone, which by a little management may become highly important, and there is no period at which it would be more desirable, at a moment while she is beset with so many malicious enemies.”

“Broomhill, Sept. 10, 1824.

“—— thinks highly of the plan I have in view of proceeding from Benin to Haoussa and Timbuctoo, to endeavour, if possible, to induce the natives of those rich countries to visit Sierra Leone, to which place I am inclined to think they would eagerly resort, as soon as they saw with how much less risk they could travel thither than across the desert to the Mediterranean.”

“London, Oct. 17, 1824.

“*I am glad to see you are getting on so well in Sierra Leone.* I have not time to enter at length into my feelings on the subject, but shall by next opportunity, which may most likely be per the Governor.”

The next witness produced by Mr. Macqueen, is Mr. Raban, a missionary of the Church Missionary Society, the parochial pastor of Freetown, to whose opinions and assertions I am willing to allow as much credit as Mr. Macqueen can possibly do. Mr. Raban’s report, from which Mr. Macqueen professes to draw his extracts, is so full, explicit, and satisfactory, and his character and respectability are so firmly established, that I should be willing almost to rest the cause of the colony on his evidence alone. Indeed, I consider his statement,

recent as is its date, so important, that, after quoting some parts of it, to shew the incorrectness of Mr. Macqueen's pretended extracts, I shall take the liberty of referring you to the report itself, for farther information.

This is one of the cases in which I have particularly to complain of the misquotations, misconstructions, subtractions, interpolations, and misrepresentations of Mr. Macqueen; and I have again to beg your attention to the manner in which he grossly misstates his evidence. He gives the following (Blackwood, page 883), as a continuous quotation, and it is marked as such.

“ ‘ It must,’ says Mr. Raban, ‘ be a matter of lamentation, to all who know the value of a place of public worship, that a suitable place has not been prepared for this purpose, capable of containing a number somewhat more answerable to the increasing population of the parish. At some of the stations, a degree of indifference to the public means of grace, which was manifested for a time, could not be observed without pain. The instances of decided piety which had been brought to light during this period, are comparatively few: those who publicly and solemnly profess themselves the disciples of Christ, are but few, compared with the mass of the people. —At Kissy town, a considerable portion of them live as without God in the world. In fact,’ continues Mr. Raban, ‘ of the lamented cases of irreligion and immorality which at present prevail amongst the Black population, probably not a little may be ascribed to the unchristian lives of too many of the Europeans resident in the colony, whose example, were they Christians indeed, would have an influence on the minds of the natives, which might be incalculably beneficial.’ ”

How far this is a fair extract; and in what manner he collects and joins words and sentences, which have no connexion in themselves, in order to make out his case, without any regard to the meaning of the original, we shall now see.

The first sentence comes from the second column of p. 261 of the *Missionary Register* for May 1826.—

Macqueen, p. 883.

“ ‘ It must be matter of lamentation, to all who know the value of a place of public worship, that a suitable place has not been prepared for this purpose, capable of containing a number somewhat more answerable to the increasing population of the parish,’ ” (Free-town).

The next sentence of his extract is from the second column of page 256 of the

Macqueen.

“ ‘ At some of the stations, a degree of indifference to the public means of grace, which was manifested for a time, could not be observed without pain.’ ”

Miss Register, p. 261.

“ It must be matter of lamentation, to all who know the value of public worship, that a suitable place has not been prepared for this purpose, capable of accommodating a number somewhat answerable to the increasing population of the parish. Till this be done, it seems in vain to expect that the Europeans will attend in any considerable number.”

Register; as follows.

Register.

“ At some of the stations, a degree of indifference toward the public means of grace was manifested for a time, which could not be observed without pain by those entrusted with the care of the people residing there. In more than one instance, however, an improvement in this respect has subsequently taken place, which is truly gratifying; and it may be safely affirmed, that, at several stations, the congregations would in all probability be larger, were more ample accommodation provided. Cases are not wanting in which an eager desire is shewn to hear the word of God. And the crowded state of the people, in time of service, is such as considerably to interfere with the personal comfort of those who are called to address them. When the hearing ear is thus

Register.

given, it may be regarded as a token for good; and surely it affords ground for hope, as well as prayer, that the heart may also be opened to receive the truth."

The first part of the next sentence is picked out of the first paragraph of the first column in page 257, applying *solely* to the schools for children.

Macqueen.

"The instances of decided piety which have been brought to light during this period are comparatively few."

Register, p. 257.

"It is more than probable that the schools will frequently experience some fluctuation. Many of the children, as they grow up, are allowed to leave, in order to learn some trade; others, to marry and settle in life, which here, as in all warm climates, it is customary to do at a very early age; and many also are removed by death, principally in consequence of disease, the foundation of which was laid while in a state of slavery.

"The decrease mentioned above does not, therefore, necessarily prove that the people in general are indisposed to send their children to receive instruction; still less does it afford any ground of discouragement to those who labour for the benefit of the rising generation. The instances of decided piety which may have been brought to light during this period, are comparatively few; but were there only one well-attested instance of this kind, it ought surely to be hailed with gratitude, as a token of the Divine approbation, and to operate as a stimulus to further exertions."

The remaining half is part of the next paragraph in the same page, and applies solely to communicants.

Macqueen.

“Those who*publicly and solemnly profess themselves the disciples of Christ, are but few, compared with the mass of the people.”

Register.

“On the other hand, the attention paid to the ordinance of the Lord’s Supper may furnish a tolerably safe criterion for judging of the degree in which the Gospel has found its way to the hearts of the adult population. Those who *thus* publicly and solemnly profess themselves the disciples of Christ are but few, compared with the mass of the people †; but, though we may justly regret that these are not more numerous, yet perhaps their fewness may afford satisfaction in one view, as indicating a commendable care, on the part of their instructors, to bring forward those only whom, in the judgment of charity, they conceive to be prepared for that sacred ordinance, by a due acquaintance with its nature and design, by the profession of faith in Christ, and by a desire to serve and glorify him.”

The next quotation is of much the same description.

Macqueen.

“At Kissy Town a considerable portion of them live as without God in the world.”

Register, p. 257.

“Kissy.—380 attend on Sundays; 190 on week-days; 30 communicants. With the exception of the communicants, the people do not seem to pay that attention to the means of grace which it is so desirable to witness. A considerable proportion of them live as without God

* The word “*thus*” is here omitted by Mr. Macqueen; why, is very evident.

† Is not this the case in England, as well as at Sierra Leone?

Register.

in the world; *many know too little of the English language* to be much benefited by preaching.

"The parents, do not seem to be properly sensible of the value of instruction to their children. Some of the children appear to value the instruction afforded them; others require the eye of the master to keep them attentive to their lessons.

"Generally speaking, there is a tolerable measure of outward decency to be seen among the people. In some of them, evidences of a Christian spirit are to be discovered, in their diligent and serious attention to the means of grace, in their conversation, and in their lives, which testify more or less that they are Christians indeed."

Again:—

Macqueen.

"'In fact,' continues Mr. Raban, 'of the lamentable cases of irreligion and immorality which at present prevail amongst the Black population, probably not a little may be ascribed to the unchristian lives of too many of the Europeans resident in the colony, whose example, were they Christians indeed, would have an influence on

Register, p. 262.

"Nor let it for a moment be doubted, that many pleasing proofs have already been exhibited, on these very shores, of the blessed tendency of our holy religion.

"Even here it has been seen, 'that now, as well as in the primitive age, the Gospel is the power of God unto salvation to every one that believeth; however distinguished by colour, clime, or language. It is hoped and believed, that, in many instances, such as have made an open profession of religion have, in a good measure, lived in a manner consistent with

Macqueen.

the minds of the natives which might be incalculably beneficial.'"

Register.

it, and have exhibited satisfactory proofs of the efficacy of Divine grace in raising, enlightening, and transforming the most degraded and oppressed. In some lamented cases, indeed, it has been otherwise; but even here much is undoubtedly to be attributed to the peculiarly afflictive 'dispensations by which it has pleased God, for some wise purpose though to us unknown, to deprive the people of their beloved teachers, and thus for a time to abridge the spiritual advantages previously afforded them. Probably also not a little may be ascribed to the unchristian lives of too many of the Europeans resident in the colony, whose example, were they Christians indeed, would have an influence on the minds of the natives which might be incalculably beneficial."

The words, "*in fact, of the lamentable cases of irreligion and immorality which at present prevail amongst the Black population,*" are a gratuitous insertion of Macqueen's, not to be found in the original.

Between Sierra Leone and the Rio Pongas there has been a long and decided conflict of principle. We have succeeded in destroying nearly all the Slave Trade in that river; but some of the spawn are still left. Of that place I shall say more hereafter; but at present I shall content myself with placing in contrast to what takes place in the Rio Pongas—a place still the occasional resort of the Slave Trade, out of the direct influence of Sierra Leone, and entirely governed by Whites and Mulattoes, calling themselves educated and moral—the proceedings which took place, according to

Major Laing, in nearly a similar case, among mere African savages and barbarians, whose conduct has been influenced only by living *in the vicinity* of the colony: I mean, at Mabung, a town fifty miles farther from it than Toma, where Major Laing (page 49) says a White man had never *been*; or, as Mr. Macqueen gives the reading, was never *seen*.

Blackwood, p. 883.

Laing, p. 85.

Rio Pongas.

Mabung.

“ ‘It appears,’ Mr. Macqueen quotes the Register, ‘by late letters received from the Rio Pongas, that the miseries under which the inhabitants of that fine river have so long suffered, are increasing, instead of diminishing. It is stated that Yande Conee has burned, alive, a man belonging to Ormond, that he might make a grisgris, or charm, of his ashes; and that William Lawrence threw a man, with a stone tied to his neck, into a part of the river dedicated to the devil*.’ ”

“ Had the Slave Trade existed, some unfortunate individual might have been accused, and sold into captivity; but its suppression in this country, from its vicinity to Sierra Leone, permitted the magi, after a tedious consultation of three days, to decide that the death had been caused by the agency of the devil.”

Taking Mr. Macqueen’s charges as they occur, the next is, that the accounts of the progress of the Schools and of Education at Sierra Leone, which have been transmitted home, are “ a delusion, and a wilful deception played off upon this country.” The following passage will be found in *Blackwood’s Magazine*, p. 884:—

“ Some of the liberated Africans are taught, not to read, but to repeat by rote, like a parrot, particular pages of a book. But this is the extent of their education—this is the extent of their acquirements. Beyond this, they know nothing. If they are turned to another page, they know not a single word,

* What would Mr. Macqueen say to the cruel and barbarous practices still subsisting within British jurisdiction in India, and even in the suburbs of Calcutta—the burning of women, for example?

or a letter; nor do they know whether they have the right end or the wrong end of the book to them, or which is the inside or which is the outside of it. Such exhibitions have been witnessed at Sierra Leone. Such exhibitions, if I am not misinformed, were lately put to the proof by the Parliamentary Commissioners; and such exhibitions and acquirements have been, year succeeding year, palmed upon the credulous and the deluded people of this country as education, and advance in education."

Now the whole of this is the mere assertion of Mr. Macqueen—a man who has never been at Sierra Leone—unsupported by one iota of proof, or even an attempt at it. We have seen how he garbles and perverts the testimony of others to suit his purposes. What credit, then, can be due to a mere assertion of his own? Men of character, respectability, and rank, have frequently visited the colony and inspected the schools; and the testimony borne by some of them is to the following effect.

Sir George Collier, in his report on the settlements on the coast of Africa (Parliamentary Paper of 2d April 1821, No. 366, p. 52), states, that "the manner in which the public schools are here conducted reflects the greatest credit upon those concerned in their prosperity; and the improvement made by the scholars proves the aptitude of the African, if moderate pains be taken to instruct him."

The Rev. S. J. Mills, one of the commissioners sent from America to examine and report on various parts of the African coast, with a view to the formation of an American colony for free Blacks, reports thus of the schools of Sierra Leone. (See Appendix to Second Annual Report of the American Colonization Society.)

"*Sierra Leone*, March 26, 1818.—We visited the schools in Freetown. In the male school were about two hundred neat, active, intelligent boys, divided into eight classes, under the superintendence of Mr. Horton, whose perseverance and fidelity are entitled to high commendation. We saw the writing of the boys, and heard them read and spell. In the female school were about a hundred neatly dressed little girls,

many of whom could read and sew. These schools would do no dishonour to an English or American village. There was not a White child in either of them. I believe schools of White children seldom give fairer proofs of good improvement." p. 23.

Again: "Regent's Town lies in a valley, with a fine brook running through it. Some hundreds of acres are cleared by the people. It has the appearance of a new and flourishing settlement. The wilderness buds and blossoms like the rose. Here we saw two hundred children in the schools. On the Sabbath more than a thousand of the children and people were present in the church, neatly dressed, sober, attentive to the reading of the word of God, and uniting their voices to sing his praise." p. 25.

And again: "May 18, 1818.—I have now visited most of the villages in the colony. The population of the colony is nearly twelve thousand. The schools are in a flourishing state, accommodating nearly two thousand children. Each village has a superintendant, who is a clergyman or school-master. Each village has a place of worship, where prayers are made, morning and evening, in the presence of the people. The Sabbath is observed through the colony." p. 66.

Mr. Mills thus sums up the result of his observations:—

"The schools are very flourishing. Nearly 2000, including some adults, enjoy daily instruction. The children, who have been born in the colony, are active, intelligent, and healthy. Those who passed their first five or ten years without instruction, and then endured a period of confinement, famine, and disease, on board of slave ships, need some months or years to acquire the health, animation, and intelligence which they might otherwise have possessed. They are taught reading, writing, and arithmetic, and some of them the rudiments of English grammar and geography." p. 72.

William Singleton, a Quaker, sent out as a missionary to examine the state of the coast, thus notices the schools of Sierra Leone (see his pamphlet, published by Darton and Harvey, Gracechurch Street):—

"26th 3d Month.—This morning visited the school in Free-

town : present, one hundred boys, fifty girls. Several of the first class read very well in the Bible and the Testament. The mode of teaching them is the Bellerian or Madras system. All the children are clothed and clean ; most of them neat ; some fine."

The following are his observations at Regent Town :

" We visited the schools together. The girls behaved with seriousness, and appeared under good care. There was an agreeable solidity in their countenances, which I hope indicated something good within. The boys being taught on the Bellerian system, it left not so favourable an opportunity of observation ; but they were attentive, and the monitors active, as was the case too at Gloucester and Kissy. In the seminary, where a number of boys are training for missionaries, they answered well the questions put to them, by the superintendant, from Lindley Murray's Grammar, and, tolerably, promiscuous questions from the Bible. Several of them read very well."

It would be tedious and unnecessary to quote the reports and letters of the late Sir Charles MacCarthy, or of the various Missionaries, as to the state of education in the colony. Mr. Macqueen appears inclined to allow that they reported favourably enough. I leave you, sir, to judge of the reasonableness of the solution he would give of this powerful testimony. It is, that a man of Sir Charles's high rank and unimpeachable character, and the whole body of the missionaries, who went out, at the risk of life, to preach the Gospel to their ignorant fellow-creatures, and who lived in the daily expectation of being called to appear at the bar of God, should wilfully and deliberately unite in a wicked conspiracy to create and uphold a system of delusion and imposture, in order to deceive the Government and people of this country.

Official returns have been made to his Majesty's Government, by their own officers in the colony ; the correctness of which Mr. Macqueen will hardly attempt to dispute. By these (see Parliamentary Paper of 5th of July 1825, No. 520) it appears there were under education, on the 1st of January

1819, 2104 individuals ; on the 1st of January 1821, 1959 ; and on the 31st of December 1823, 2460.

To the subsequent official returns I have at present no access. Such as were in my possession have been left among the other official documents of the colony, in the Government-house, when I was superseded in the government ; but it appears from a statement drawn up by Mr. Raban, and sanctioned by the collective body of Missionaries, that, at the commencement and end of the year 1825, the number of scholars was as follows : Lady-day, 1861 ; Christmas, 1681 : and in reference to the decrease here exhibited it is, that Mr. Raban makes the remark previously noticed, and which was mutilated by Mr. Macqueen. See above, page 27.

Mr. Macqueen makes a sort of appeal to the experience of the Parliamentary Commissioners on this point ; and he exultingly asks, " Where is the African youth that is to be found in Sierra Leone, or that has issued from it, qualified to teach another ? " Their opinions on the result of their investigations (especially those of the one now in Africa*) are studiously kept secret ; and in their examination of the village schools they had no companions. How Mr. Macqueen became acquainted with their opinions, or whether the whole is a fabrication of his own, I know not. What their report on this subject really is, his Majesty's Government probably know already ; and in stating the progress of the scholars, their report, I doubt not, will not fail to specify the length of time they have been in the colony, and at school ; and how long also they had understood the English language, of which, of course, previously to their being landed in the colony, they could have known nothing.

It has been a subject of regret, to all who were acquainted with the colony, and who have reflected seriously on the subject, that the extent of the education given to these people should have been generally so narrow and limited ; and that their instruction should have been confined (as indeed is too much the case with the lower classes in this country, where they have any education at all) to mere reading and writing ;

* He has since arrived.

and that no vigorous and effectual attempts should have been made to instruct a portion at least of the liberated Africans, and other inhabitants of the colony, in the higher branches of learning. In consequence of this ill-judged system, numbers left the schools every year with the merest elements of knowledge; and, from the influx of new cargoes, numbers were annually placed at school in their stead, who, from their almost brutish state of depression, contracted in the holds of slave ships, and from their utter ignorance of the English language, could not possibly for a long time make any visible progress. It is also to be considered, that, in consequence of the measures taken by General Turner — measures in themselves perfectly proper—for reducing the number of the liberated captives receiving rations, a great number of the youth of both sexes were necessarily withdrawn from school. In the year 1825, 2,400 were landed in the colony, from the slave ships condemned by the Mixed Commission Court. They were landed, of course, in a state of utter nakedness and destitution, and had no means of subsistence but what they received from rations issued by Government; and yet, on the 1st of January 1826, the whole number receiving rations was only 2737, that is to say, only 337 beyond the number imported into the colony during the preceding year; and when it is recollected how large is usually the proportion of children on board of slave ships, this reduction will appear surprising. One effect of it, however, would obviously be to fill the schools chiefly with newly imported and ignorant children, and to send the others out to seek the means of subsistence. Still, under all these disadvantages, I have no fear as to the result of an investigation into the state of the schools in the past year.

I am by no means disposed to deny that the contracted education, to which I have objected, was all that, combined with religious instruction, could reasonably be expected to be given to persons whose future lot in life was to be that of labouring agriculturists or mechanics; yet I think that it is greatly to be lamented, that the Missionary Society should have delayed so long to educate a certain portion of the liberated Africans, or other Negro inhabitants, with a

view to becoming teachers and ministers themselves. They are now beginning to attend to this essential, this vital object; and not a doubt can be entertained of their success, by those who know, as I do, and can affirm; that, with all their disadvantages, many of the liberated Africans are now carrying on business, of various kinds, on their own account; while some are employed as clerks by the merchants, and some by the government; and while one school-master, two schoolmistresses, three teachers, and seventeen assistants, selected from this class, are actually now labouring usefully in the service of the Church Missionary Society. Of their unquestionable capacity for such employments, the following testimony of the Rev. W. Johnson may be produced. (See Sixteenth Report of the African Institution, pp. 352—354.)

“William Davis (a native African, and a liberated captive,) has kept Divine service with the soldiers at Hastings every Sunday regularly. The soldiers have voluntarily come forward to build a place of worship. Mr. Reffell has offered them every assistance to forward that object. Mr. Reffell also states, that the morals of the soldiers have much improved.”

Again: “William Tamba (also a native African, and a liberated captive) has been placed at Bathurst, where the people under his care improve. He keeps Divine service with them morning and evening; also, day and evening school; and on Sundays all attend Divine service.”

Captain Tanner, who had visited the villages, says:

“At Bathurst, a captured Negro, converted to Christianity by Mr. Johnson’s ministry; labours among the people with much success. He has been propagating the Gospel of our Lord Jesus Christ in about forty-seven villages on the coast. He has excited the attention of his countrymen, who are desirous to hear him again. He is a bold, decided champion of our Lord, qualified for eminent usefulness.”

Mr. Macqueen, returning to the want of religion and the neglect of the Sabbath, says (p. 864):

“With regard to religion, the state of things is equally

gloomy. The only appearance of it is to be found amongst the Maroons from Jamaica, and the Nova-Scotia Blacks, who brought with them, and have retained, though I can scarcely say improved, the civilization which they had learned from their acquaintance and connection with civilized life in those quarters of the world alluded to. These attend sermon on Sabbath with some degree of attention and decency; but the conduct of the liberated Africans is wild, and giddy, and thoughtless, and irreverent in the extreme. They are totally ignorant of the real meaning and duties of religion; and to hear them haranguing in the streets on coming from the church on Sabbath, to which they are compelled to go, jeering and accosting each other, as is quite common, thus, ‘me de catch God Almighty, me de hold him fast,’ is positively frightful, and sufficient to make the reasonable mind tremble.”

So much for Mr. Macqueen: what say others?

Sir George Collier, in his report, quoted above (Parliamentary Paper, April 1821, No. 366, page 52), says:

“I have attended places of public worship in every quarter of the globe, and I do most conscientiously declare, never did I witness the ceremonies of religion more piously performed, or more devoutly attended to, than in Sierra Leone.”

The late Mr. Fitzgerald, Chief Justice of the colony, and his Majesty's Commissioner of Arbitration, writes, after an acquaintance of several years with the colony, as follows: (See African Institution Report, Appendix, p. 344.)

“In a general view, the observances which have been noticed will probably be thought sufficient to create a favourable impression of the state of religious feeling and demeanour in the settlement of Freetown. The Lord's-day is more decorously kept than it is in most other places. The shops are all shut: there is no such thing as buying and selling. The Christian part of the people attend worship at the places which they have respectively chosen; and all the congregations are alike remarkable for uniform and respectful attention. Throughout the streets, corresponding propriety is noticed. Intoxication, in the gross and disgusting form in which it is so commonly seen on the Lord's-day in England,

is of very rare occurrence here, with the painful exception of European seamen, whose conduct and language in their frequent inebriations, on that day especially, are of most depraving example. It is not to be understood that the day passes in perfect sobriety among the inhabitants in general: it is the decency, and not the abstinence, that makes the distinction. Excesses are committed, and are generally brought under the animadversion of the magistrates on the Monday, in consequence of the quarrels occasioned by them; but these quarrels are almost universally of a trifling nature. There is not any thing in the circumstances collectively to detract from the credit that has been taken."

William Singleton, the Quaker, says :

" In the morning, as we passed through Freetown, in our way to Gloucester, about half past five, I remarked a considerable number of Black people walking steadily, and for the most part singly, different ways, and am informed that they were going to religious meetings."

The Rev. S. J. Mills, the American Commissioner, as quoted in the Report of the American Colonization Society, already referred to, writes as follows :

" *Sierra Leone*, Sabbath, May 10, 1818.—There is a great degree of regularity among the people of this place. There does not seem to be any labour on this day, and a large proportion are regular attendants on the worship of God. The untractable Kroomen will indeed indulge in their wrestlings and other sports on the beach, notwithstanding past attempts to check them." p. 65.

Captain Tanner, above referred to, also observes (Sixteenth Report of African Institution, page 353):

" Regent's Town now wears the aspect of a well-peopled village in our happy land; its inhabitants civilized, industrious, honest, and neatly clothed. The ground allotted to each family is cultivated; each lot being distinctly marked out. I have frequently ascended an eminence near the town to behold the pleasing scene on the Sabbath-day—hundreds pressing on to the house of God, at the sound of the bell, hungering after the bread of life."

It appears by the Parliamentary Returns (No. 520, July 5,

1825), that there were in the colony twenty-four places of religious worship; and that, out of a population of about 20,000, in which is included a large number who profess Mohammedism and Paganism, 5818 are regular attendants on Christian worship, 1340 of whom attend in Freetown. Mr. Raban's statement at the end of 1825, as regards the village settlements connected with the Missionary Society, is as follows (Missionary Register, May 1826, pp. 257—259):

	Attend on Sundays.	On week- days.	Communi- cants.
Kissey.....	380	190	30
Leicester	50	25	9
Gloucester.....	400	170	138
Regent	256	76	160
Leopold & Bathurst	800	250	9
Charlotte	140	114	4
Wellington	350	250	103
Waterloo	250	190	20
Kent	375	240	10
Banauas	100	76	...
	3101	1581	483

This would be deemed a large attendance even in Great Britain; but how much more in this case when, not only the very inadequate means of religious instruction which these villages have lately enjoyed are considered, but when the large proportion of Mohammedans, Pagans, and newly imported captives is taken into the account. Mr. Macqueen; indeed, states that the liberated Africans are *compelled* to attend church; but this is altogether untrue. That the missionaries exert their best influence for that end, I believe; but, as for force or coercion, they have not the means, if they had the inclination, to employ it; and in many places, in Freetown for instance (except in the parish church), they cannot have any influence whatever, as the people in general do not frequent their ministry, but that of their own teachers.

That strong, and too ardent, and even fanatical expressions, not sanctioned by the sobriety of the Christian religion, are occasionally to be heard at Sierra Leone, from some

Individuals of the numerous religious sects which are to be found there, I freely admit; but the kind of phraseology imputed (most incorrectly) to the liberated Africans, is an importation from America, and not of colonial growth; and similar extravagances of expression, the fruit of zeal without knowledge, may be found in other places, and in other ministrations, not very remote from London, or from Glasgow, where they are less susceptible of a fair apology.

Mr. Macqueen next charges the colony with the immoral lives of the White residents, who, "more especially those of the higher ranks, generally march off on the Saturday evening, and spend their Sabbaths at a station up the river, or on the Bullom shore, amid seraglios of Black females there established and maintained. And," he continues, "I know where, in more instances than one, *godly* men, of consideration in that settlement, have purchased, from the surrounding nations, Black females, to keep as concubines."

That some of the European residents are irreligious and immoral, may be true; and to them, individually, great blame may attach. But in what part of the world (in Glasgow itself?) are not immoral and irreligious men to be found? That any of them keep seraglios up the river, or on the Bullom shore, or purchase Black females for purposes of prostitution, I do not believe. But if, all this were true, how can it reasonably be made a charge against Sierra Leone, or adduced as a proof that the attempts made to civilize, and to afford instruction to, the liberated Africans and others in that colony, have failed? Does Mr. Macqueen expect that the mere circumstance of a residence in Sierra Leone is to make a man religious? Or does he bring it forward as an argument, that because White men, educated in England, who neglect the opportunities of religious worship in the colony, have not become religious and moral, therefore the Black population, who have regularly attended such worship, can have derived no benefit from that attendance? To me the fact, if true, affords a very different inference, and furnishes a strong proof of the beneficial effects of the efforts made at Sierra Leone for the education and religious in-

struction of the liberated Africans; for it appears, that, notwithstanding the evil example set them by their superiors in rank and education, they have attained, as we have seen, a comparatively high state of moral and religious improvement.

The concluding sentence of this paragraph is a personal attack on myself: "General Turner was scarcely, I may say, in the dust, when the house he had inhabited swarmed with inmates of this description." To this accusation I give a most unqualified denial. It is an infamous falsehood; and in proof of this I appeal to the whole colony.

Mr. Macqueen's next accusation against the colony is on account of the prevailing disregard of the marriage tie, and the promiscuous and illicit intercourse of the sexes, which, he says, exists there; but, instead of adducing the slightest proof in confirmation of his charge, he gives us another paragraph of bold assertions. How false this accusation is, may be easily shewn. The number of women in the colony, on the 1st of January 1822, appears to have been 3346. The number of women married previous to the 1st of January 1817, I have no means of ascertaining; but it appears, from the official returns (Parliamentary Papers, July 6, 1825, No. 520), that, in the five years previous to the date of the census of 1825, the number of marriages was as follows:

1817	237
1818	257
1819	281
1820	317
1821	200

—1292;

and that, subsequently, when—although the population had increased, yet, from the nature of that increase, the marriages must have taken place chiefly amongst those who were in the colony in 1822—the number was as follows:

1822...429;—1823...386;—total...815.

It further appears, from Mr. Raban's statement, as quoted above, that, in the villages under the care of the Missionary Society (excluding Freetown and several of the villages of

which no return is given), the number of marriages, in 1825, was 293.

It is also to be remembered that the Mohammedan and Pagan inhabitants do not marry according to the rites of the Church of England, but by a ceremony of their own—to them as binding, and quite as formal, as that which is frequently practised in Mr. Macqueen's own country. That chastity is not sufficiently prized in general is, unfortunately, true; and the female of that country, I admit, has little pretension to the delicacy and purity of feeling which form the ornament and charm of our own countrywomen. Yet, on the other hand, the woman who there lives with one man, in unauthorised intercourse, does not thereby lose "caste" so completely, nor sink so deep in depravity as one similarly circumstanced in this country. This species of concubinage does not cause that total renunciation of moral feeling and conduct which, too often, follows it here; and many who are living in such a state look upon themselves as virtually married, and would consider unfaithfulness to their keeper as great a crime as if it were committed against a lawful husband.

In Freetown, as in all other sea-ports, there is a number of licentious women; but I do not believe there is any port, of equal size, where there are fewer persons who live by the practice of common and promiscuous prostitution. Some of Mr. Macqueen's naval correspondents may be able to inform him, that women of that description are not more rare in a British sea-port than in Sierra Leone.

His sneer at the end of this paragraph is scarcely worthy of notice. If he had inquired, he might have ascertained that several Europeans, and those of respectability, have intermarried with Coloured women—for example, Messrs. Nicol, Campbell, Nylander, Wenzell, Pierce, Anguin, Reynoldson, &c.

The next charge against the colony is this: "With regard to the trade, industry, and agriculture of the settlement, every thing that is said about them is a mere delusion," &c.; and in proof of this, Mr. M. continues either to make his own bold assertions, or to give professed quotations from the books of others, or from public documents. His assertions I leave to their

own weight, with the simple denial of their truth: his quotations or proofs I will examine. He says (Blackwood, p. 885),

“From the fertile and well-cultivated district of Formare, the indolent inhabitants of Sierra Leone, says Major Laing, are principally supplied with rice and other provisions; and it is they, adds he (pp. 76, 77), ‘who undertake the laborious and fatiguing work of cutting, squaring, and floating to the trading stations, the immense bodies of heavy teak timber exported from Sierra Leone.’ And in like manner, the natives on the banks of the Kooranko cut and float down that river, and the Rokelle, camwood exported from Freetown. The migratory Kroomen put these woods on board the ships: the gentlemen Blacks, in Sierra Leone, being above touching a log of it even with their little finger.”

Now as regards the first part of this alleged extract, it is a misrepresentation of what Major Laing says on the subject, as may be seen by the following comparison.

Macqueen. *Laing, p. 72.*

“From the fertile and well-cultivated district of Formare, the indolent inhabitants of Sierra Leone, says Major Laing, are principally supplied with rice and other provisions.”

“This district (Formare) is particularly fertile in rice, and supplies more for the Sierra Leone market than the other districts of greater magnitude.”

The next part of the sentence is given as a quotation, with a similar regard to truth.

Macqueen.

Laing

“And it is they, adds he (pp. 76, 77), ‘who undertake the laborious and fatiguing work of cutting, squaring, and floating to the trading stations, the immense bodies of heavy teak timber exported from Sierra Leone.’ ”

says, in a note, at pp. 77, 78—
“The eagerness with which the Timmanees entered into the laborious and fatiguing work of cutting, squaring, and floating to the trading stations, the immense bodies of heavy teak timber, exported from Sierra Leone, is a convincing proof of their readiness to engage in any employment where they can get a reward; however small, for their labour. It

Laing.
 is well known that, during the time, that the timber trade was in activity, several native towns were formed on the banks of the river, and many natives came from a distance in the country to engage in it. Timber was cut at the termination of the largest creeks, at Port Logo, and even as far as Rokon, and floated down to Tombo, Bance Island, and Tasso."

The closing part of the paragraph about the Koranko and camwood, is the same; Mr. Laing only saying (p. 202)—
 "The staple article of trade is camwood; for which, on this side of the country, Seemera is the general place of barter; it is carried from thence to Ma Bung, and so to the Rokelle, down the stream of which it is floated to Rokon, where various articles, but principally salt, are procured in exchange."

The fact, however, that the natives, on the banks of the Koranko, keep in their own hands the cutting and selling of a valuable dyewood, the produce of their own country, is, after all, no very serious charge against Sierra Leone. Nor do I conceive that it is any discredit to the "gentlemen Blacks" of that settlement, who have more lucrative employments, that they should not engage in the work of floating or shipping timber; any more than it is any discredit to the editor of the Glasgow Courier that he does not work as a bricklayer's labourer.

Mr. Macqueen may sneer at the agriculture of Sierra Leone, as being confined, in a great degree, to the cultivation of provisions: and it is undoubtedly matter of regret that the raising of produce, having exchangeable value in Europe, has not been more attended to. Yet all must allow that it is no small matter if the colony produces an ample supply of food for its own population. In that respect, at least, it is better off than many of our other colonies. Of this more hereafter. But even this fact Mr. Macqueen denies. "The greater part of this population," he says, "do nothing. They are fed and clothed, at a vast annual expense, by the

British Government, and the supplies of provisions necessary to do so are either imported from Great Britain, or from other parts of the African coast belonging to native powers, where the labouring population are all slaves."—Let us examine the correctness of this statement.

In 1822 the population, as given in the census, and which falls below the real amount, was 15,081. The number supported by Government (see the Parliamentary Paper, No. 389, May 18, 1826) was 3775; and on the 1st of January, 1826, when the population had increased to upwards of 20,000 (2,400 of whom had been landed within the year immediately preceding, 1825,) the number fed, according to the above parliamentary return, was only 2737.

That rice is imported into the colony, both for consumption and exportation, is true; but Mr. Raban, to whom Mr. Macqueen appeals, shews, what every man in the colony can testify, that the liberated Africans grow more provisions than they can sell; but here again Mr. Macqueen is, as usual, unfair in his quotation.

Macqueen, p. 885.

Raban.

" 'From want of a further acquaintance with agriculture, the more intelligent of the African population of Sierra Leone*,' says Mr. Raban, 'confine themselves to the growth of a few articles, the supply of which becomes superabundant; consequently 'they do little more than obtain a subsistence.' "

Mr. Raban, by way of accounting for the falling off of the subscriptions of the liberated Africans to the Auxiliary Missionary Society, stated, that not having employment on the public works as usual, many of them had turned their attention to agriculture; and then he goes on to remark (page 256) as follows:

" In this way, as (for want of further acquaintance with agriculture) they confine themselves to the growth of a few articles, the supply of which becomes superabundant, they do little more than obtain a subsistence. Their resources being thus materially

* The words, "The more intelligent of the African population of Sierra Leone," which Mr. Macqueen here gives as a quotation from Mr. Raban, is an interpolation of his own—for what purpose is apparent.

abridged, it can scarcely be matter of surprise that their contributions to the funds of the society should be abridged also."

Mr. Macqueen then proceeds to support his assertions by the authority of Messrs. Gregory and Molloy (Hamilton), whose testimony he gives in his usual correct and satisfactory manner.

Macqueen. (p. 885)

says, the "Slave Commissioners, May 5th, 1824, write Mr. Canning thus: 'The timber trade is the only trade which can give sufficient employment to the nations in the upper part of the river. Rice, cattle, poultry, vegetables, and also COFFEE, which is said to be of an excellent quality,' are brought from the Rio Pongas. 'We confess we think that, to commerce only with the neighbouring African nations, and the nations more distantly situated, must the colony look for the means of acquiring wealth for years to come. Agriculture does not afford, within the limits of the colony, any article which may be given for exportation to the merchant,

Par. Papers.

If you turn to their Report (Parliamentary Paper, Class A, 1824-1825) you will find what Mr. Macqueen gives as a continuous extract thus stated:

"The timber trade is the only trade which can at present give sufficient employment to the natives of the upper part of the river. It is of the utmost consequence, therefore, that every possible encouragement should be given to the trade, that, by the pursuit of it, the natives may have effaced from their minds every remembrance of the Slave Trade." pp. 8, 9.

"Along the coast from the Rio Pongos to Sierra Leone, the Foreign Slave-Trade has ceased. The natives of *this coast* are in constant intercourse with the colony of Sierra Leone. This intercourse is highly beneficial to the natives and to the colony. The natives bring hither supplies of rice, cattle, poultry, and vegetables, for the colonial market. They also bring some coffee, which is said to be of an excellent quality. Some ivory is also at times brought by them, which

Macqueen.

in exchange for his European commodities.”

Par. Papers.

they procure from the interior. European goods are taken in return by these traders. We wish we could add that the visits of these natives to Sierra Leone made a visible improvement in their moral condition*; but they are so wedded to their own particular customs that time only can effect a change in their condition; but that change, we are sure, must be sooner or later effected through the influence of the colony of Sierra Leone.” p. 6.

The two concluding sentences of the above apparently continuous extract are taken from a paragraph in page 8; and they prove no more than that at present the settler of Sierra Leone thinks he can more profitably employ his labour in collecting and rendering fit for a foreign market, the produce of the surrounding countries, than if he were employed in growing tropical produce within the peninsula;—and the succeeding extracts, from the returns furnished to government by the Collector of the Customs at Sierra Leone, is only another proof of the well-known fact, that the capital and industry of Sierra Leone have been principally directed towards commercial and not to agricultural pursuits. He finishes the paragraph thus: “And, adds the document, ‘there is no means of ascertaining’ the number ‘of persons of the colony’ who support themselves by voluntary labour.” Some of these words are curiously brought together from various parts of different returns, made to a separate order of the House of Commons, which is as follows (see Returns, p. 41, No. 520 of 1825):—

“There is no means of ascertaining this” (the number of persons subsisting on the produce of their own labour at Sierra Leone, distinguishing their occupations,) “as regards the

* What has our vicinity, for ages, done to change the moral condition of the Indians of North America, or of the natives of Hindostan?

persons of the colony generally; liberated Africans; settled under superintendants in the several villages, being the only persons under the immediate view of the colonial government; accounts of whose state, in December 1823 and September 1824, have a few weeks since been forwarded home by the late acting Governor."

Mr. Macqueen, in the beginning of the above extract, mentions *coffee*, as if all of it was an import from the Rio Pongas to Sierra Leone. The latter is the chief place of export on the windward coast; and the assertion, if true, would be no discredit to it. We have seen however that this was a misrepresentation of his own, as regards the Rio Pongas; and if he had chosen to speak the truth, he might have shewn that the slave-abolition Commissioners, in all their reports, state that Sierra-Leone influence, and Sierra-Leone exertion, had been used, and, as they suppose, with some success, to induce the slave traders and slave owners of the Rio Pongas to employ their people in cultivation, instead of selling them for the West-India market; and that, in addition to large quantities of coffee plants forwarded from Sierra Leone to the Rio Pongas in the years 1821 and 1822 (Par. Pap. class B. 1822, 1823, p. 8, and class B. 1823, 1824, p. 3), the number of ten thousand plants was forwarded by one individual in 1824 (Par. Pap. class A. 1825, 1826, p. 7).

Mr. Macqueen next enlists into his service the dispatch of General Turner to Earl Bathurst, dated 25th January, 1826; but even this cannot escape his mutilating hand.

For General Turner's talents and character I have the highest respect: his views were wise, liberal, and comprehensive; his firmness and unwearied personal exertions to carry them into effect were unremitting. If there was any man well qualified to bring the latent energies of Sierra Leone into action,—to give the Negro population a fair and ample opportunity for exertion,—to raise the colony to a distinguished eminence,—to throw over the surrounding tribes the paternal shield of Great Britain, and to substitute her manners and her institutions for the barbarous customs

which prevail among them,—to render them, for hundreds of miles round Sierra Leone, a labouring and agricultural, instead of a slave-making and slave-supplying, population,—and to open the way for improvement and civilization into the vast interior of Africa,—it was General Turner. And I am only speaking the sentiments of every man acquainted with him and with Africa, when I say that his death was a national loss;—an almost irreparable blow to the colony; and to Africa generally.

Mr. Macqueen has the hardihood to insinuate that General Turner was unpopular, and to state, that he, “before his death, began to feel that he should ultimately be compelled to yield to the system, or renounce his situation. He would, I doubt not, have done the latter. The retrenchments which he made in the liberated African establishment, which is really the government of the place, dissatisfied Blacks, and curtailed and cut off the emoluments of Whites; the consequences of which were that the former were instigated to transmit a complaint against him to the colonial office: but this was rendered unnecessary by his lamented death.” p. 890,

Never was there a more unfounded, and, I may add, malignant, misrepresentation than this. General Turner had to commence his government with the ungracious task of retrenchment, and many without doubt had their emoluments reduced. He was perhaps too vehement in his manner of finding fault with those under him; but the warmth was momentary—soon over, and then it was forgotten for ever. Besides this, there may have been one or two officers, whose negligent performance of their official duty he may have thought it necessary to make the ground of complaint. But it is not true that General Turner was unpopular. He was very popular. No man in the colony, I may venture to say, knew more of the feelings of the Black population than myself; and I can safely affirm, that among *them* he was popular. And whom then does Mr. Macqueen accuse of having instigated them—“to transmit a complaint against him to the colonial office?” Was it the civil and military officers of the colony? The assertion is a libel on an honourable body of men. Was it the merchants, the European inhabitants, the men of money and influence?

No sir—it is with the sincerest gratification I can say, that the merchants and traders of the colony, White and Black, embraced an opportunity, before the Governor's lamented death, of testifying their feelings of satisfaction with his government; and it is with additional pleasure that I am able to state that I was one of them. Their testimony was put upon record during the General's life; and his answer to their address is as full and complete an answer to Mr. Macqueen's infamous accusation as could be desired, as may be seen by the following extract from the Sierra Leone Gazette:—

At a general Meeting of the Merchants and Traders of Sierra Leone, held at the house of Messrs. Macaulay and Babington, on the 17th December, 1825;

Honourable Kenneth Macaulay in the chair.

This meeting, viewing with heart-felt gratitude the eminent services rendered to the mercantile interests, and to the colony generally, by the great exertions of his Excellency Major-General Turner, C. B. Captain General and Commander in Chief, &c. &c. &c., in extending our commercial resources; and considering his Excellency's return from the river as a good opportunity of expressing a public testimonial of the same;—Resolve unanimously,

First. That the measures by which his Excellency has so happily extended the protection of the British Government to the Sherbro Bulloms, will not only destroy for ever the illicit Slave-Trade which has for several years been desolating those fine countries, and give peace to its unfortunate inhabitants, but will restore to this colony that extensive, valuable, and exclusive trade in the natural productions of the soil, which existed in so flourishing a state, from our first connexion with Africa, to the period when it was destroyed by illicit slave-traders (chiefly under the French flag), carrying war and desolation into a river never before frequented by them or their flags: That when we consider how much we were suffering; that our intercourse with York Island in the Sherbro (which has belonged to England for centuries), was daily interrupted; that our craft were seized, and our factories destroyed; we are inadequate to express the grati-

tude we feel to his Excellency for seizing the first opportunity which offered itself (regardless of the inclement season of the year, and his own personal safety,) to restore to us those advantages and rights, of which we had been so audaciously deprived by those miscreant dealers in human blood.

“Second. That, considering the interruption which our valuable intercourse with the interior has been continually receiving from the petty chiefs at the heads of this river, and the vexatious restrictions capriciously exercised over the timber cutters by them, we cannot too highly estimate the advantages which must accrue to the colony, and to commerce in general, through the arrangements so wisely and completely effected by his Excellency during his late visits to those places.

“Third. That the late accessions of territory and jurisdiction, have placed the colony upon such a footing as will enable it to surmount with facility those obstacles which, whilst confined to the narrow limits of this peninsula, it never could have effected.

“Fourth. That the meeting cannot conclude without expressing admiration of the local administration of justice, which has been so firmly carried on by his Excellency, and which, during the short period he has been amongst us, has reduced the calendar below what it was known at any former period, and consequently added security to the persons and property of the community.

“Fifth. That the following gentlemen be deputed to wait on his Excellency with the unreserved thanks of the meeting, inadequate as they are to express the sense they entertain of his Excellency's exertions; and to present him with a copy of these Resolutions, signed by the parties composing the same:—Honourable Kenneth Macaulay, Thomas Hunt Barber, Henry Williams, and Robert Dougan, Esqrs.”

Answer of General Turner.

“Gentlemen, As I believe that it is not unknown to you how little I court public favour, so will you give me credit for sincerity when I declare, that this public expression of your opinion of my services, is to me valuable in proportion as it was unexpected; and you may rest assured that, as long as his Ma-

justly may be graciously pleased to continue me in this command, and the blessing of health and strength be enjoyed by me, so long shall I use my best endeavours to forward your interests, in every manner in which it may be compatible with my public duties as a servant of the Crown. I am not ashamed to own, that I do not possess abilities equal to the satisfactory discharge of the various and difficult duties of this extraordinary establishment; but it is most consoling and encouraging to me to hear from you, who are so capable of forming a correct estimate of these difficulties, that my exertions have not been, in your opinion at least, altogether useless.

“ Permit me, Gentlemen, to return you, collectively, my sincere thanks for this kind expression of your opinion of my public conduct, and to assure you that I shall long preserve a grateful remembrance of it; and to the gentlemen composing the deputation, I take the opportunity, which their kindness has afforded me, to relieve myself thus publicly, from part of the obligation under which their warm and friendly support has placed me. And that you may all enjoy health, to avail yourselves of the favourable prospects which, you are pleased to say, have recently been opened to you, is my very sincere wish!”

I must apologise for this digression; but the memory of a gallant and lamented officer and the character of living individuals are not to be made, with impunity, the sport of a mercenary and malignant libeller.

The opinions of General Turner, deliberately given, after a residence of twelve months in the colony, are worthy of the greatest attention; and plans proposed by him are deserving of the greatest support. His general view of the policy previously pursued, and its results; his conceptions of a better policy to be pursued in future, and of the prospects which that held out, shew his powerful mind. Yet I cannot shut my eyes to the fact that General Turner's overwhelming duties, in the distant dependencies of his government, had left him, at that date, unacquainted with many of the details connected with the actual state of the liberated Africans; and that, in consequence of this want of knowledge, he made one or two assertions which would otherwise have been

somewhat modified. I give, as an instance, his statement, that "under the arrangements hitherto prevailing, they (the liberated Africans) have been distributed amongst the villages, where they have been, for years, supported in idleness by the Government." This statement is, undoubtedly, incorrect; and also far too general; for it appears, by this same letter, that, on the 1st of January, 1825, the number receiving rations from Government (including infants, children at school, aged and sick) was only 4,273; whilst, during the previous three years, the number imported was—

1822. (Parl. Paper No. 362, 30th May, 1825)..... 2848

1823. ditto 616

1824. (Parliamentary Paper, Class A, 1825-26).....

per Mixed Commission Court..... 1245

per Admiralty Court (about) 120

—4829

And, at the same time, it is to be remembered that all those fed by the Government were not living in idleness; and of those so fed, multitudes were mere children, without parent or relation, brought from the holds of slave ships, and having no resource whatever but in the food given them by the Government.—His fear also that these liberated Africans might, in consequence of the bad situation in which some of their villages were formed, retrograde in the woods, and relapse into a state of barbarism, was, in my opinion (after many years' experience) wholly unfounded. Neither do I think that his assertion, that those who had been located in the villages, and had previously been rationed, could, with difficulty, be induced to give a day's labour, even for good wages, is by any means to be received and relied upon as generally correct. The labour alluded to by General Turner, and in the supply of which, from the liberated African villages, he was partially disappointed, was the carrying of bricks, sand, lime, &c., upon their heads, all day, up hill, from the wharf to the site of the new barracks; a species of work not to be expected from men who have other means of supplying their wants. And yet (a proof these Africans will work for wages) there were numbers of them who walked from their villages, every morning, to be present on the wharf, at six

o'clock, and who continued all day at this laborious employment, under a tropical sun; for the wages of sevenpence to tenpence currency per day, a proportionate deduction being made for any part of the day during which they were absent.

But, notwithstanding these petty defects, General Turner's letter is a most valuable document, shewing the causes why the cultivation of exportable produce had not been a greater object with the liberated Africans; how easily that evil may be remedied in future; and how solid is the foundation of future prosperity which has been laid in the colony. Such must be the case when he, with all his discernment, and with all the results of the defects and errors of the previous system before him, would venture, deliberately, to stake the well-earned reputation of a long life, on the success of future arrangements, which should not cost more than the savings which he had made in one year, by throwing the liberated Africans more on their own resources than had previously been the case.

I beg to refer you to the letter itself, where you will soon perceive how, by leaving out some sentences; transposing the position of several; and joining others, which, in the original, have no connexion; Mr. Macqueen endeavours to give to his compounded extracts a sense which General Turner never thought of. I must be content with exhibiting two insulated examples of his manner of mangling that gallant officer's statements.

Macqueen, p. 886. *Parl. Papers*, No. 389, 1826, p. 4.

In cases where they have been located in the villages, and received gratuitous maintenance, they can, with difficulty be induced to give a day's labour even for good wages." "And it is found that, under this system of putting them to easy and regular labour, such as they have been used to on their landing from the slave ships, that they become very orderly and good labourers; but, in the cases where they have been located in the villages, and have received gratuitous maintenance, they can, with difficulty, be induced to give a day's labour even for good wages."

Macqueen, p. 886. *Parliamentary Papers*, p. 5.

“It would but lead to disappointment to imagine that a large mass of poor ignorant people, without capital, skill, or industry, could be brought to maintain themselves, and to raise articles of export, without the assistance of labour-wages. Could such a system succeed even in England, the poor-rates might soon be abolished.”

Mr. Macqueen thus finishes his pretended extract with a comma after “labour,”—“labour, &c.,” whilst General Turner wrote “labour-wages,” adding an important sentence explanatory of his meaning.

A little further on, Mr. M. pretends to give two examples of failure in the attempt to cultivate tropical produce by the free labour of Africans; as a proof, I suppose, that such cultivation could not be carried on in the colony, even if capital was invested for that purpose. The first is that of General Turner; and he could not have cited a less applicable example, or one telling more against his own cause.

General Turner bought land, which he intended to cultivate as an experimental farm. It was not the best land in the colony, but it was near Freetown. It was some of that “narrow belt of land”—that “thin stratum of soil”—“that thin unproductive dust upon rock,” which Mr. Macqueen so energetically describes. General Turner lost his first superintendant (a hard-drinking intemperate Scotchman, and not a man acquainted with tropical culture, or with the West Indies, as Mr. Macqueen untruly asserts,) and he soon ascertained that the multifarious duties of his own extensive command left him no time for personal attention to cultivation. Yet he was not “disappointed;”—he did not give up the object as “hopeless.” He continued the farm to the day of his death; and one of his last projects was the formation of a coffee farm, in conjunction with myself, at Kent. We have, however, General Turner’s own testimony. He distinctly shews, in his letter to Lord Bathurst, that he believed the

liberated Africans would work for wages, and that no difficulty would occur, on that account, in forming plantations. And he further states, that the merchants of the colony (persons supposed to be alive to their own interests, and who must have known whether the people would labour or not,) were all ready to establish plantations if overseers could be found.

Mr. Macqueen's other example, Mr. Giles, is equally conclusive. This individual was nearly three months in the colony, at the very height of the dry season; and in that short time, he landed his "nine tons of agricultural implements;" examined the colony to ascertain the best situation for his experiment; got appointed superintendant of Kissy; took over that responsible charge; got acquainted with, and performed all its duties; made his experiment; completely failed, and died of a broken heart. After this, let the inventors of "Arabian Nights, and Eastern Tales, hide their diminished heads. What are the deeds of their heroes, compared to this?" But in fact, Mr. Giles was well satisfied with his prospects, when he died of a fever, brought on by unnecessary exposure.

Upon the subject of Agriculture, his Majesty's Commissioners, in their Reports for 1825, state as follows (see the Parliamentary Papers, Class A, page 8, 1825-26):—

"The agriculture of the colony has also greatly increased, and in some respects improved; and it is now gratifying to know, that the produce grown in the peninsula is fully sufficient to feed its population, instead of, as formerly, having recourse to the neighbouring natives, for the necessary supplies to support the liberated Africans; and lower classes of the community."

Mr. Macqueen again says (Blackwood, p. 886):—

"The way that the expenditure was for the moment reduced was, the General compelled the liberated Africans to labour, in order to support themselves. Without compulsion, they would not labour. Indeed, any labour which ever was performed in the place, was compulsory. The whip is used upon the gangs of liberated Africans with unsparing hands, and hundreds of these miserable beings have been seen chained together by the necks, ten in a chain. And the

devastation which disease occasions amongst them; during the rainy season, huddled together in buildings, without much attention being paid to their health, or their comfort under such circumstances, (though accounts may be swelled, as to the attention said to be bestowed,) is most distressing and most horrible.

“ Except in government employment, but very few, liberated Africans are engaged in voluntary labour; nor can those engaged in the government service be accounted voluntary labourers, as, of late, they have been compelled to work. The migratory Kroomen also do all the work about the town and shipping.”

As Mr. Macqueen has here embodied a heavy charge of ill treatment, cruelty, and oppression, towards the liberated Africans, I will examine it in detail; though fully aware that the conduct of the officers belonging to that department, and especially of Mr. Reffell, who has so long filled the office of Chief Superintendant, is so well known, and has been so honourably distinguished by the testimony of men of high rank and character, as to require no defence of mine.

That General Turner employed some of the adult liberated Africans, landed during his government, on the public works, without asking their consent, is true: but no particular force was used to compel them to give their labour; nor were any serious measures adopted to prevent them leaving the works, and joining their countrymen in the villages, if they had chosen so to do. The whole number, thus employed, never amounted to any thing like a thousand. The labour of the others was as voluntary as it is possible for labour to be. No compulsion whatever was used towards them. If blame attaches to the management of the liberated Africans, on this point, it is, that too little attention was paid to instruct them in the value and duty of labour, and too little restraint applied to accustom them all, on their first landing, to its regular continuity; and that, those whose subsistence was to be derived from labour alone, were not placed under sufficiently qualified instructors, armed with competent authority, in order to learn the art of cultivating articles, having exchangeable value in Europe.—The asser-

tion that, "except in government employment, but very few liberated Africans are engaged in voluntary labour, is equally untrue. Government, in fact, have lately employed very few, except at the new barracks, as has already been mentioned. The remainder subsist by voluntary labour on their farms, or in occupations of their own, or in the employ, for hire, of private individuals. The quantity of labour supplied by the Kroomen is a small proportion of that which is required for the commercial business alone, of the colony.

The assertion, that "the whip is used upon the gangs of liberated Africans, with unsparing hands," is absolutely false. The law of England extends its protection to every individual within the colony; and corporal punishment can be inflicted on no one, however low his station may be, unless by the sentence of a competent tribunal. And so averse are the authorities to the exercise of it, that whipping, even as a punishment, is almost exclusively confined to cases where the highest criminal court in the colony, by its sentence, inflicts it. I believe it to be true, that some of the newly imported Africans, employed to overlook their countrymen in carrying bricks, &c. had made for themselves small whips, about two feet long, which they carried about, and may have occasionally used; though I myself never saw them do so; but this was done entirely without any authority; and the moment it became known to the government, the whips were taken away, and the people using them reprimanded or dismissed. So impartial, indeed, are the laws, not in theory only, but in practice, that I have known a respectable European prosecuted to conviction, at the sessions, for horse-whipping his servant in a passion.

Equally false is it, that "hundreds of these miserable beings have been seen chained together by the necks, ten in a chain together."

It has been the custom of the Colonial Government to avoid the infliction of capital punishment, wherever it is possible; and having no means of banishing criminals, except by turning them adrift among the natives, where they would soon be made slaves, it became necessary to find some other adequate means of inflicting a secondary punishment: and

for this purpose, hard labour, in chains, on the public works, has been resorted to, in a manner similar to that in which convicts are employed in the dock-yards in this country. This punishment, however, can only be inflicted by a competent tribunal, for the same crimes only as in England; and when requisite, it is so inflicted without any respect to the "caste" of the criminal. I have myself seen a Maroon, a Nova-Scotia settler, the son of a native chief, a Grumetta, a Krooman, and a liberated African, working in the same gang. They are confined by a chain passing round the middle; and generally two, sometimes three, but I believe seldom if ever more, are fastened to the same chain. I do not believe that the number so confined and worked, ever, at any one time, exceeded fifty; and this, when the amount and nature of the population, and the fact that some have been sentenced to this labour for five years, are taken into account, must be considered as speaking strongly in favour of the character of the colony.

Allow me to state here the opinion of that "intelligent traveller," Major Laing, on the subject of Sierra-Leone, freedom or slavery; an authority Macqueen will not dispute.

"It was their intention," he says (p. 179), "to have slain me; and to have made prisoners and slaves of my party; but they would have found the attempt attended with more difficulty and hazard than they had expected; for men, such as those who were with me, long habituated to freedom, which they enjoy as purely at Sierra Leone as if they breathed a British atmosphere, would have shed the last drop of their blood before they would have suffered themselves to have been made slaves."

The charge of inattention and cruelty towards the liberated Africans, the representation of the mortality caused among them by the rainy season, and the account of their being huddled together in buildings, are totally without foundation. Every man who has been in the colony can testify to the care and humanity bestowed upon these poor creatures, when landed from the holds of the slave ships. The sick and emaciated are instantly sent to the hospitals; and in two days, seldom more, the whole, whose state of health will admit of it, are

distributed agreeably to their intended destination. How this is done, and to what degree the kindness bestowed on these occasions; upon them, when landed from the slave ships, has excited, in their bosoms, a feeling of grateful recollection to their benefactors; and of charity and sympathy for their fellow-sufferers on the recurrence of similar landings, will be seen by the following extracts.

The Rev. Mrs. Johnson says, (see Sixteenth Report of African Institution),—"I cannot describe the scene, which occurred when we arrived at Regent Town. I have seen many Negroes landed, but never beheld such an affecting sight. As soon as we came in sight, all the people came out of their houses towards the road to meet us, with the greatest acclamations. When they beheld the new people weak and faint, they carried and led them up towards my house. After they had laid themselves on the ground, being quite exhausted, many of our people recognized their friends and relatives; and there was a general cry of O! master! my sister! my brother! my countryman! he lived in the same town; my countrywoman! &c. The poor creatures being faint, just taken out of the hold of a slave vessel, and unconscious of what had befallen them, did not know whether they should laugh or cry when they beheld the countenances of those whom they had supposed long dead, but now saw clothed and clean, and perhaps with healthy children in their arms. In short, I cannot describe the scene: it was too affecting! No one refrained from shedding tears, and lifting up the heart in prayer and praise to the wonder-working God, whose ways are in the deep. The school boys and girls brought the victuals which they had prepared; and all the people, following their example, ran to their houses, and brought what they had got ready; and in a short time, their unfortunate countrymen were overpowered with messes of every description, and they made a good dinner, such as they had not been accustomed to for a long time: Pine-apples, ground nuts, and oranges, were also brought in great abundance."

"After all had been gratified, it getting late, I begged the people to withdraw, in order that their weary country-people might have rest; which being done, I lodged the men and

boys in the boys' school, and the women and girls in the girls' school. The two permanent school-houses, which we have built, I now find of great service; as each of them being seventy-three feet by thirty, and having two floors, will contain a great number."

Mr. Düring's narrative of a similar scene (Sixteenth Report, p. 347,) is to the following effect:—"In the month of May, a considerable number of unfortunate victims to the cruel traffic in human blood, were happily captured by the British cruizers on the coast, and brought into the harbour of Free-town. I received orders to come to town to receive them; but, at the time, had little idea of the state they were in, having no particular notice. It was past four o'clock when I received them; and when I had got them all out of town, I viewed them, and soon found that I had not brought men enough with me to help them up the hill, which caused a great anxiety to me; but what could I do? I must take them home. Fortunately for me and these poor people, a man, while they were passing through the Court of the Mixed Commission, had run up to fetch more people to carry the sick home. Ignorant of what the man had done, I went on slowly with them, almost despairing of getting them up. But I had not gone far from the foot of the hill, when I was met by great numbers, who, as they came up, took those who were unable to walk, on their backs; and when I was half way up, I saw almost the whole carried by those met with on the road. This struck me very much, particularly when I compared this affecting scene with former ones."

"When I came home, I ordered victuals to be prepared for the new people: but while they were preparing, food came in from every quarter; and the women, and part of the school girls, who cooked it, asked not for their country-people alone, but those that were nearest to them were refreshed."

"Among the rest, a woman a member of the church; had taken a woman under her care. When I took her name, she was asked by Mrs. Düring, what she wanted to do with the woman: she said, 'Ma'am, it is now almost two years since I come to this country.' My country-woman then took me, and did me good, and told me of the Lord Jesus

Christ: and that same thing she did to me at that time, I want to do to this woman now.”

Again (Sixteenth Report, p. 348): “This spirit of humanity towards the unfortunate, has not subsided. At first, the new comers are generally subject to much sickness, which is the case at present; but the evidence I have daily of the care for them every where, makes my heart rejoice; because it is an irresistible argument on our side, and shews the powerful effect of the Gospel, even upon the heart of the rudest barbarian upon this continent. But this is not all. The anxiety for temporal welfare is, with many, connected with spiritual also. Before I was sufficiently enabled to clothe the new people, I saw them brought to church, morning and evening, clad in the clothes of the old ones.

“The work of religion among the people here is still going on. The schools are also going on well; and the number of scholars is increased by five children, born here since 1817, and ten adults. The first class of adults are able to read any book of simple language; and are considerably advanced in arithmetic.

“Thus I have been enabled to give you an account of things, as they are at present. My heart’s desire is still to see the afflicted tribes of Africa gladdened by the blessed Gospel of Jesus Christ.”

A distinct and separate charge is made against the colony itself, and its power of production (Blackwood, p. 886):

“There is, in fact,” says Mr. Macqueen, “neither soil nor cultivation in the place. The thin stratum of mould on the surface of the ground, on the lower part of the hills, becomes worn out almost as soon as the woods and brushwood on its surface are cleared away; when a perfect caput mortuum only remains. In the narrow belt of low land that lies along the margin of the sea, the thin stratum of soil, which had been formed by the remains of putrid vegetation, becomes soon after it is cleared; dried up by the sun, leaving only a thin unproductive dust upon the rock.”

Again (Blackwood, p. 886): “Nature, as a commissioner

justly and forcibly observed, has been a step-mother to the place."

There are round Freetown several small plains of hard indurated claystone, covered with grass, which no man would ever think of attempting to cultivate; and the granite mountains of Sierra Leone are, I presume, not more adapted to cultivation, than similar mountains in other tropical countries. Yet we find they produce most excellent coffee; and the liberated Africans have managed to raise food more than sufficient for themselves, and for the demand in the market of Freetown. But in the valleys, in the plains, up the river Sierra Leone, and below the river Kates; in the islands, and towards the Sherbro; the land is as good and as fertile as in any part of the world; and there is also excellent water carriage. Of soils I do not pretend to be a judge; my attention has been directed to other objects, and my opinion rests chiefly upon the authority of others, and especially of General Turner, who was a good judge. When Mr. Macqueen can shew a country without any unproductive land, he may rail at Sierra Leone for having some.

How he became so well acquainted with the opinions and sayings of one of the gentlemen appointed to report to Earl Bathurst on the state of the colony, he can perhaps explain. To me it does not argue any favourable feeling on the part of that Commissioner towards the colony, that he should have made Mr. Macqueen his confidant; and I have no doubt that, if he did utter such an opinion as Mr. Macqueen attributes to him, he will give in his official report the grounds on which he formed it, and will specify the particular parts of the colony which he actually visited and inspected; for of the rest of it he can be no adequate judge.

The next subject of Mr. Macqueen's attack is the unhealthiness of the colony: and if the people of England do not believe, that, of all unhealthy climates, that of Sierra Leone is the worst; that there "the demon of pestilence and mourning," to use his own words, "has fixed his abode," as firmly as they believe in the existence of moral evil; it is not the fault of Mr. Macqueen, of John Bull, and other West-

Indian advocates: There is no oblivion even in the grave of that ill-fated place: men, never heard of before, become, by dying in that colony, immortalized; their names are placed on imperishable record; their untimely fate is rung with mournful knell from shore to shore of the Atlantic; and their memory is celebrated from one end of the earth to the other. But what becomes of the thousands who annually fall victims to the climate in other tropical colonies? Their names, alas! are left to die;—and their memorial perishes with them. To commemorate their fate, no John Bull is bribed;—to record their untimely end, no Macqueen is remunerated with thousands.

Mr. Macqueen's eloquence may be very affecting; but his statements and assertions are certainly of little value. Sierra Leone is not low nor swampy, but high and mountainous. The Bullom shore does not lie on the west of the river or estuary (for there is no lagoon there); it is not low, or covered with swamps and mangrove. It lies on the north-east side of the river, which is here ten miles broad, and is high and sandy. The burying ground too has many grave-stones. The dead British soldier is not buried in his blanket for want of boards to make a coffin. Twenty-five officers and five or six of the medical staff did not die at Sierra Leone in eighteen months. There are White females in the place above the rank of soldiers' wives; although I regret, with every gentleman in the colony, that they are so few. Except in child-bearing, they do not suffer much from the climate; and I am sorry to add, that it did not require the immoral habits of Sierra Leone to degrade the generality of those women who have gone out thither as soldiers' wives, or to teach them the use of ardent spirits, or to bring them to a state of vice and misery.

That Sierra Leone, like all other tropical countries, is unhealthy for Europeans, is true: that it is more so than tropical countries in general, I doubt. I am fully aware that a different opinion is entertained in very high and respectable quarters, where no unfair bias can be suspected. But is not this the effect of such mendacious representations, perseveringly and unceasingly reiterated, as those of Mr. Macqueen?

Inadequate as I feel myself for the task, I will nevertheless endeavour to destroy what I cannot but consider to be a mere delusion. It is difficult, I admit, in cases of this kind to come at facts. Yet, however difficult it may be, it is by facts alone that the question can be fairly decided. Flying reports, vague rumours, or even general impressions, however fixed, prove little more than the assiduity and pertinacity of those who think themselves interested in discrediting the colony. They may, by their falsehoods or exaggerations, render it more difficult to ascertain the real state of the case, but by these they make but little way in proving the truth of their accusations. In examining this question, I must beg leave to separate Sierra Leone from its dependencies, the Gambia, Cape Coast, &c., because there is no more relation between the healthiness of these places and Sierra Leone at any given time, than there is between that of Barbadoes and Berbice. It is of Sierra Leone itself I mean now to speak: to its healthiness or unhealthiness alone, my remarks are intended to apply.

The European population may be divided into the officers of the civil establishment; the military; the missionaries; the merchants and other residents of respectability; and the Europeans of low rank, seeking a bare subsistence as mechanics, sailors, &c.;—and among these various classes a very different rate of mortality has usually prevailed.

In considering the mortality among the military, the description of soldiers sent out, and their manner of life, are of the utmost importance. When the Ashantee war attracted the attention of Government, it was thought proper to raise a regiment of White troops for the coast. This was done by turning over to it the worst subjects of other regiments—the “commuted men,” as they are technically called; and all who volunteered were accepted, without much regard to age or character. Upwards of a thousand of these men were sent to Sierra Leone, before the ground was fixed upon where their future barracks were to be built; although, by extraordinary exertions on the part of General Turner and his staff, one barrack was roofed in before the succeeding rainy season. A portion of the men were sent to the Gold

Coast, the Gambia, and the Isles de Loss; some were kept on ship board; and the remainder were housed as well as could be managed in the colony. Every thing was done by General Turner to guard against the climate; but the barracks, and houses occupied, as such, not being enclosed, there was no possibility of preventing the soldiers from wandering where they pleased. In many of these men all hope of reprieve was extinct. Their sentence was banishment for life;—their pass-word, “A merry life and a short one.” The remainder consisted generally of new Irish recruits; or of men of abandoned character, who had enlisted, as a last resource. Where spirituous liquors were to be procured, such men would not go without them; and both by night and day were they to be found lying drunk in the streets. I have myself met, and I have known others to meet them, near midnight, stretched on the roads in a state of perfect insensibility, from intoxication; and that, in the height of the rainy season. I have also seen them early in the morning, lying in running streams of water, where, doubtless, they had passed the night, regardless of the heavy tropical rain which had been falling. This mode of life continued till I left the colony. Can it be wondered at, that the mortality was great? Or could any thing else be expected? White troops, even of the best character, cannot be sent to tropical countries with impunity. The best regiments sent to the West Indies would, I fear, shew returns of mortality equal, if not superior, to those at Sierra Leone*. Many of the regiments sent there have returned mere skeletons. And was less mortality to be expected in the case of a condemned regiment? This is, however, an evil which cannot occur again:—orders have been given to revert to Black troops; and the deaths of the White soldiers will no longer furnish a handle to the calumniators of the colony.

During the last year (in opposition to the advice of the Medical Staff, and of my directions, whilst I acted as Governor), officers were lodged in barracks which had been

* Sir H. Hardinge stated, in the House of Commons, that, during the year 1826, of 2700 men stationed in Jamaica, 900 had died.

covered in after the rains began. Their walls were dripping with moisture; their doors and windows were not properly fastened; and, being in an exposed situation, the wind, loaded with moisture and, with drifting rain, blew through and through their apartments. Several young officers, just arrived on the coast, quartered in these barracks, fell victims to fever; but their death was attributable to the above accidental cause, which is not very likely to occur a second time. The barracks are now finished, and, I understand, will vie, in comfort, with any in his Majesty's dominions. The question, moreover, is one of *comparative* mortality; and I feel satisfied that, if the returns from all our different tropical possessions were fairly analyzed, it would be found that the deaths at Sierra Leone were fewer, in proportion, than at either the Gold Coast or Gambia; and, probably, not greater than in many of our West-India Islands, or at Arracan.

The return printed by order of the House of Commons, No. 7, 28th November, 1826, is a return of mortality *for the coast generally*. I have endeavoured to obtain a list of the names of the persons so returned "*dead*," with a view of shewing how small a proportion died at Sierra Leone, but have not been successful; and I can therefore only renew the assurance of my firm conviction, that if the investigation were made, the result would be much in favour of Sierra Leone, as compared with our other African settlements; and, as it regards the mortality of the whole coast, it were but an act of justice to publish similar lists for the civil and military establishments of our western colonies. Even western Africa might not, in this case, prove to be the most sickly of all tropical countries. In this, at least, I am borne out by Sir George Collier, who says, in his report to the Admiralty—"Indeed I believe, and, from the observations I have made in other tropical climates, from the same cause, there are years when, on a comparison with respect to relative numbers, a greater proportionate mortality will be found to have occurred at some of our oldest established tropical colonies than at our very infant one of Sierra Leone, with all its disadvantages." Neither have I been able to obtain re-

turns of the names of the persons belonging to the civil establishment of Sierra Leone, at different periods; but I have procured a copy of the "estimate" for the year 1821, from which I have formed the following table as correctly as my memory will enable me to do. I have marked those cases of which I am doubtful; and it is possible I may have, through forgetfulness, omitted one or two, who, temporarily, held civil situations.

In looking at this table you will perceive that considerable mortality took place in 1823. In that year a contagious disease was carried to the colony from the Mediterranean, in the ship *Caroline* (as is supposed), which raged for some time with great violence. That the mere climate of Sierra Leone was not the cause of these deaths is evident, from the fact, that the otherwise healthy island of Ascension, to which the same fever was carried, suffered more in proportion than Sierra Leone did.

TABLE of the Civil Establishment of Sierra Leone in the year 1820, with the Alterations which have taken place in the different Situations since;—distinguishing the Deaths which happened in Sierra Leone, from the other Causes of Change; and, also, the Number still in the Colony.

Persons holding Offices in 1820.

Governor	Sir C. MacCarthy	Arrived in 1814	.....	Killed in action with the Ashantees, January 1824.
Chief Justice.....	E. Fitzgerald	ditto 1817	Died at S.L.	Of the imported contagious disease of 1823,
Council	K. Macaulay.....	ditto 1808	.....	In England; left Sierra Leone in 1826.
Ditto	T. S. Buckle.....	ditto 1816	.....	Killed in action with the Ashantees, in Jan. 1824.
Acting Secretary	J. O. N. Walsh...	.....	.....	See below, in Council since 1820.
Collector of Duties	Jos. Reffell	.....	.....	See ditto ditto.
Chaplain	W. Garnsey	Arrived in 1820	.....	In England; left Sierra Leone in 1822.
Ditto	W. Flood	ditto 1820	.....	Left Sierra Leone in 1823, and died on the passage.
Engineer	T. S. Buckle	ditto 1816	.....	See above, in Council.
Assistant ditto ..	J. Morgan	A Sierra Leone man.	.....	
First Surgeon ..	C. Stormonth	Arrived in 1817	.....	(Situation abolished). In England; left Sierra Leone in 1821.
Second ditto	J. Shower	about 1817	.....	In England; returned in 1825.
Assist. Apothecary	W. Brown	.....	A Sierra Leone man.	
Mason	A. Mason	.....	A Coloured man.	

Carpenter	I. Grant.....	Arrived in 1817	Left the colony in 1825.
Surveyor of Lands	T. S. Buckle.....	.....	See above, in Council.
Printer	W. Miller.....	.....	Died at S. L. of the contagious fever of 1823.
Assistant ditto ...	Abm. Hasely ...	A Sierra Leone man.	
King's Advocate	D. M. Hamilton	Arrived in 1802	See below, as Chief Justice.
Ck. Recorder's Ct.	Jos. Woods	ditto 1817	Left the colony for England in 1822.
Writer	T. O'Meara .....	.....	See below, in Council since 1820.
Ditto	J. W. Wetherell	Arrived in 1817	Killed in action with the Ashantees, 1824.
Ditto	S. Castle	about 1818	On the coast still—in the Commissariat Department.
Ditto	J. McDonnell ...	ditto 1818	On the coast still—in the army.
Ditto	R. Fitzgerald ...	ditto 1818	In India.

In the Liberated Africans' Department.

Chf. Superintendent.	J. Reffell .....	.....	See below, in Council since 1820.
Superintendent ...	F. Cole	Arrived in 1818	In the colony.
Ditto	W. B. Pratt	ditto 1819	

Persons appointed to Office since 1820.

Governor	Maj.-Gen. Turner	Arrived in 1825	Died at S. L. Of excessive fatigue and exposure in the Sherbro, March 1826.
Ditto	Sir N. Campbell	ditto 1826	In the colony.
Chief Justice.....	D. M. Hamilton	ditto 1802	In the colony.

Council	Alexander Grant	Arrived in 1820	.....	Now in Scotland; had been on the coast since 1806; left it in 1825.
Ditto	J. Reffell	ditto 1814	.....	In the colony now.
Ditto	J. O. N. Walsh	about 1818	Died at S.L.	of the contagious fever of 1823.
Ditto	T. O'Meara	ditto 1817	ditto	Ditto ditto.
Ditto	Andrew Nicholl	ditto 1817	.....	Died on the Gold Coast in 1823.
Ditto	W. Barry	Arrived in 1823	.....	In the colony now.
Ditto	John Rendall	ditto 1813	.....	In England; left the coast in 1825.
Ditto	Edward Gregory	ditto 1819	Died at S.L.	In 1825, of fever.
Ditto	E. A. Schetky	ditto 1823	.....	Died at Cape Coast in 1824.
Ditto	S. Smart	ditto 1823	.....	In the colony now.
Ditto	George Rendall	about 1817	.....	Ditto.
Ditto	J. W. Ramsey	Arrived in 1825	.....	In England; left the colony in 1826.
Ditto	J. T. Williams	ditto 1825	Died at S.L.	In 1826; was labouring under a liver complaint, and consumption when he arrived in the colony.
Ditto	Col. Lamley	ditto 1826	.....	In the colony now.
Ditto	J. MacCormack	ditto 1814	.....	Ditto.
Secretary	J. Reffell	.....	.....	See above, in Council.
Collector of Duties	A. W. F. Percival	Arrived in 1824	Died at S.L.	Of fever, March 1826; brought on by running three races in one day.
Chaplain	P. G. Rennylander	ditto 1805	Died at S.L.	Of old age, in 1825.
Ditto	J. Raban	ditto 1824	.....	In the colony now.

Engineer	M. Haffner	Arrived in 1820	In the colony now.
Carpenter	J. Clack	Ditto 1825	Ditto.
Surveyor of Lands	W. Grey	ditto 1825	Left the colony in 1825.
Ditto	W. Piné	ditto 1826	In the colony now.
Printer	M. Fillager	A Sierra Leone man.	
King's Advocate	S. Smart	Arrived in 1823	See above, in Council.
Writer	J. Horton	ditto 1821	Died at S.L. Of fever, in 1821.
Ditto	James Sharp	ditto 1823	In the colony now.
Ditto	W. W. Lewis ..	ditto 1824	Ditto.
Ditto	— Smith	ditto 1824	Died at S.L. Of fever, in 1825.
Ditto	— Oxley	ditto 1824	In the colony now.
Ditto	P. Turner	ditto 1825	Died at S.L. In 1825.
Ditto	J. Mentga	ditto 1824	In the colony now.
Ditto	— Dennis	ditto 1825	Ditto.

In the Liberated Africans' Department.

Superintendent ..	R. Cole	ditto 1822	In England; returned in 1826.
Ditto	M. Lewis	ditto 1824	In the colony now.
Ditto	C. Jones	ditto 1825	Ditto.

The number of deaths, or rate of mortality among the merchants and residents of respectability, is universally supposed in the colony to be less than in any other class. During the year 1826 there was but one death among them up to the end of September; as far as my recollection serves me; and in the preceding year there were but two or three. During eleven years' management of an extensive mercantile concern, with a number of clerks, several of whom lived with me for many years, I have lost but one; and others I believe have been equally fortunate. So far from the merchants finding any difficulty in procuring clerks, young men who go out on speculation have the greatest difficulty in obtaining employment at very low salaries. Many, both of the merchants and other residents, have been in the colony for many years.

The greatest rate of mortality appears to have been amongst the missionaries and their assistants; the society having lost, during twenty-two years, thirty-two men, (including five who died from accidents, not chargeable to the climate,) out of fifty-one. It is however to be remarked, that none died during the first four years, 1805 to 1808; that only two men died during the first eight years, to 1812; and that, as the unhealthiness of Sierra Leone has become a topic of discussion, and held out as an object of dread, the proportion of deaths in the latter years has much increased. I cannot help attributing much of the more recent mortality among the missionaries, in the first two years of their residence in the colony, to a morbid state of mind. Other men go out filled with the hope of realizing a little property and returning home: that object occupies all their thoughts; sickness is never feared till it comes, and then the natural buoyancy of youth, and the ardent expectation of the individual, do more towards recovery than all the medicine or doctors in the colony. Very different are the feelings of the missionary;—his mind is strongly impressed with a dread of the colony; he looks on himself as sent on a forlorn hope; he considers sickness and death in a few years as a certainty; by brooding on the subject he often brings on slight indisposition, which his imagination exaggerates into a serious illness, when a man

of a more ardent temperament, and a more elastic turn of mind, would throw it off with facility. When to this desponding state of mind are added the enervating and enfeebling effects, both mental and bodily, of severe fever, I have no doubt that many of the sufferers secretly wish the struggle was over, and their course was run; and instead of the least attempt to rally their fainting spirits, they quietly resign themselves to the arms of death. I have seen this feeling in others as well as among the missionaries; but from the impressions they receive before they leave this country, together with the serious nature of their usual meditations, *they* are individually the greatest sufferers. I am the more confirmed in this opinion when I see that nearly all the missionaries sent out at first lived for many years; and that those, in after years, who had once overcome the dread with which they arrived in the colony, enjoyed as good health as other residents.

One of the missionaries died at a good old age, after twenty years' continued residence; one after nineteen years; one after eighteen years; two after eleven years; one after nine years; three after eight years. One of the present missionaries has been there sixteen years, his wife fourteen years; another has been there nine years; two others, seven years; two, six; one, five; and one four years; while several of those who left the colony had resided there from five to seven years.

The lower classes of European adventurers are seldom men of good character. Intemperance is their besetting vice, and it is not to be wondered at if many of them die; still many live and remain in the colony for years.

In the absence of more formal returns, I will take the liberty to state one circumstance, and give the length of residence of several Europeans. In the year 1808 seven gentlemen* went at the same time with myself to the colony. In the year 1814 we were all alive, and all in the colony but one. In 1814 one was lost at sea. In 1815 one died in

* Messrs. D. M. Hamilton, Vanneck, Craig, F. Hopkins, C. Hopkins, MacGounne, Becket.

England, and one at Sierra Leone, supposed to have been poisoned. In 1816 one died in close arrest at Elmina Castle, on the Gold Coast. The remaining four are still alive; three in Britain (including myself), and one at Sierra Leone.

The following is the length, as nearly as I can ascertain it, of the residence of some gentlemen whose names occur to me, including in that time a few temporary and short visits to this country.

Names.	Years of Residence.	Remarks.
Carr	28	Returned to Europe, since dead.
Fothergill.....	23	{ Died after nearly constant residence.
Hamilton	25	Still there.
Nicoll	23	{ Died an old man after nearly constant residence.
Nylander	21	Do. after constant residence.
Macaulay.....	18	Now in England.
Kennedy	17	There still, constant residence.
Wilhelm	16	Ditto ditto.
Mrs. Wilhelm ...	14	Ditto ditto.
Mrs. Lemon	33	Died after constant residence.
Williams	37	There still.
Reffell	13	{ Ditto 11 years resident, at one time.
Macormack	14	Ditto.
MacCarthy, Gov.	10	Killed in action.
Buckle	8	Ditto ditto.
Wetherill	8	Ditto ditto.
Atkins	10	There still.
Barber	7, & on the coast 13	Ditto.
Mrs. Taylor	9	Ditto.
Macdonnell	10	Ditto.
Two Coles	10	Ditto.
Weston	10	Ditto.
Easton	8	Drowned.
Williams	10	Returned.
Hopkins	10	Ditto.
Craig	20	Ditto, absent about 7 years.

Names.	Years of Residence.	Remarks.
Kendall	10	There still
Spencer	10	Returned.
Reyner	19	Died after constant residence.
Wenzell	14	Ditto ditto.
Butcher	12	Ditto.

Many more might be adduced.

A great outcry has been raised against the colony on account of General Turner's death: it is said, that of a family of seven all died but two, and that within one year.

General Turner took out two nieces, two nephews, and two aides-de-camp; of these the two nieces and one aide-de-camp returned. The circumstances attending the death of the others were these:—The two nephews were labouring under consumption (one in the last stage) on their arrival in the colony, and both died of that disease. Captain Ross, one of the aides-de-camp, caught the fever, which caused his death, after a long, arduous, and fatiguing expedition to the head of the Port Logo river, at, perhaps, the worst season of the year, when the heat of the dry season was evaporating the damp and moisture of the preceding rains, and when the heat of a tropical sun could not disperse the dense fog floating on the surface of the river and its banks till eleven o'clock in the day. General Turner himself did not die of the fever caught at Sierra Leone, nor from the effects of the climate: his death was caused by unparalleled and unremitting exertion and exposure, day and night, up the river Sherbro, which no constitution could have stood in any tropical climate.

General Turner undertook the conduct of an expedition (consisting of troops, vessels, boats, and canoes,) to the Sherbro, with a sailing master for only two of the vessels, and only one military officer besides himself. He sailed on the 7th February; and, after two days' and one night's expedition, in boats, arrived at Bendo on the 13th. On the 14th the brig got aground, and General Turner was out in his boat, sounding, for several hours, and performed the whole duties of master himself. On the 15th he spent half the day sounding the mouth of the Boom. On the 16th the

expedition, with numbers of boats and canoes, entered that river. Our pilots were of no use: a line of boats sounded a-head of the vessels; but, with even that precaution, they were continually grounding. Though the General was now assisted by the active professional skill of Captain Mudge, R. N., yet so anxious was he that he watched over every thing himself—standing nearly all day on the bowsprit, or sounding in his boat. On the 17th, in the morning, he took the stockade of Bulm, and, after a busy and fatiguing day, exposed to the sun, he burnt it late at night. Next day he proceeded up the river, exposed as before. On the 19th he fought the action at Macaba, where he was exposed, afloat and on shore, for hours, to a burning sun—surrounded, part of the time, by grass twelve feet high, where not a breath of wind could reach him, or exposed to the heat of a burning town. He was also exposed to the night air and dews till twelve o'clock. On the 20th, he proceeded up another branch of the river. On the 21st, he fought another trifling action at night; and on the 23d returned to Shebar. During this time I found the sun more oppressive than I had ever felt it before: accustomed as I had been to it, I was obliged, more than once, to get under shelter when the General refused to do so. He was obliged to hang his cot on the deck of the small vessel, and the dew actually rained through the sails he had spread for an awning. Sleep was out of the question: it was one continued buz, buz, bite, bite, all night long: such mosquitoes I never saw or heard of elsewhere. His exertions, and his exposure to the climate did not end here. On the 24th he attended a grand palaver of the native chiefs; on the 25th another laborious day was spent with the vessel aground for several hours; and it was only on the 27th that the vessels, after much anxiety, cleared the river. At this time he was complaining of illness, but could not be prevailed on to take rest or medicine. He sat at table with us, but ate nothing. He occupied himself drawing up the proclamation for blockading the Gallinas, and was besides engaged in other writings, which, I suppose, were the notes or sketch of his letter to Lord Bathurst. When he arrived at Freetown, instead of taking rest, he caused a vessel to be

detained till that letter and another were written, in finishing which last, the pen, I understand, dropped from his hand. In five days more, he was a corpse. Is this unfortunate event to be charged to Sierra Leone? Where is the tropical country where such fatigue and exposure would not prove equally fatal?

There is, however, one question connected with the health of the colony which has not, in my opinion, been sufficiently considered or attended to. I believe it was never intended to colonize Sierra Leone with Whites, or, as the colony extends, that the various increasing duties of the government departments should for ever be confined to Europeans; or that the regularity of the necessary details, or the prosperity of the colony, should depend upon an extraneous supply of civil officers from England. If I understand the matter properly, the object is to establish a colony of Free Blacks, and to open a fair field for the exertion and improvement of the African race; and, in doing this, why should not Coloured persons, of sufficient abilities, be employed much more extensively than has hitherto been done? It is undeniable, indeed, that a perfect equality, in all the rights and privileges of British subjects, is enjoyed by both Black and White at Sierra Leone; and also, that Earl Bathurst has, in more than one instance, appointed Coloured persons to situations under Government. Yet I conceive that sufficient attention has not been paid, either to prepare young men, in the colony itself, for the higher walks of life, or to procure them from other places. To what walks in the service Government might choose to restrict their promotion, I know not; but I, for my part, see no reason why colour alone should prevent any man from rising to the highest; and I am quite sure that, if the general details of the colonial administration were in the hands of such men (assuming, of course, that they are men sufficiently qualified for the situations they fill), the inconvenience and injury which the colony has suffered from irregularity in accounts, documents, &c. would no longer occur; and the death of an officer, even high in the service, would no longer entail that confusion, and those delays, in every department, which have been too often experienced.

Mr. Macqueen's next attack is on the TRADE of the colony; and he complains that separate returns of its imports and exports have not been produced. If he means the proportion which the trade of Sierra Leone bears to the declared and official values of the exports and imports to and from the settlements on the coast generally, I cordially concur in the wish that these returns had been kept distinct; for, in that case, I am sure that those for Sierra Leone would have proved perfectly satisfactory. If he means, however, merely to complain that the account of the merchandize imported into, and exported from, the colony has not been distinctly given, he complains without reason: he has the information in his possession. The returns of the collector of the customs at Sierra Leone have always been published, by authority, in the Colonial Gazette. It appears, by this document (see Gazette, 11th February 1826), that the original cost in England, of the merchandize imported into the colony in 1825, on which the collector returned that he had received duties, was £ 81,918 7 8

But a judicial investigation having taken place into his accounts (the result of which was forwarded to Earl Bathurst), it appeared that he had embezzled the duties on, at least, 20,000 0 0

The duty in the colony is collected on the more cost of the article in the English warehouse, without freight, insurance, shipping expenses, commission, &c.; and without any of those charges for packages, pressing, calendering, &c., which are, in fact, part of the cost of the article.

I have taken an average of many invoices, in order to ascertain the rate of these last charges—namely, for packages, pressing, &c.,—and I find it to amount to four and a half per cent.,

which makes, on the above sum, 4,589 0 6,

£ 106,567 8 2

By the Parliamentary Paper N6154, of 1826, it appears that the official value of the whole of the exports to the coast of Africa, in 1825, was 348,514*l.*; the declared value of which is stated to be 332,838*l.*; being a difference of not quite five per cent., by which the official exceeds the declared value. On referring however to the Parliamentary Paper No. 385, of 1826, which contains an account of the rates at which both foreign and colonial produce, and British and Irish produce and manufactures, are valued, when exported, it appears that the official valuation of the principal articles of export to Africa is much higher than their actual cost. For example, tobacco is twelve per cent.; East-Indian piece-goods from thirty-three to one hundred per cent.; rum two hundred to three hundred per cent.; sugar sixty per cent.; printed cottons twenty-five per cent. higher; a few immaterial articles being officially valued at a lower rate, than their real cost. It is therefore a very moderate calculation to suppose that the real cost is, on the whole, twenty-five per cent. less than the official valuation. This would raise the declared value of the exports to Sierra Leone, alone, to the sum of upwards of 126,000*l.*, and the official value to upwards of 133,000*l.*, in 1825, (being nearly two-fifths of the whole export to Africa, from the Senegal to Benguela,) even if nothing should be allowed for the temptation to which the importers of goods paying a duty are liable, to understate the value of their imports, with a view of diminishing the charge of duty; or, if they can, to evade the entry entirely, and thus pay no duty at all. This large export is confined to the river Sierra Leone, and whatever Mr. Macqueen may think, to me it seems matter of satisfaction that, to this *one port*, which he would describe as perfectly unfitted for commerce, and destitute of it, there is exported nearly two-fifths as much as to all the rest of Africa, from "Cape Nun to the Cape of Good Hope," its islands included.

I need hardly contradict another assertion of Mr. Macqueen's, by adding, that this amount is exclusive of government stores of every description; such not being entered at the Custom-house either in England or at Sierra Leone,

The supplies for the liberated Africans, in one year (1825), for clothing, tools, &c., were, according to the Parliamentary Paper No. 212, of 1826, upwards of 12,000*l*.

Sierra Leone, it must be remembered, is a new colony. Its population is a heterogeneous mass, collected chiefly, within a recent period, from the holds of slave ships; all previously in the most uncivilized and brutalized state, and unaccustomed to regular or assiduous labour. Many of them are also either old, or infirm from disease; many of them are the bad subjects of barbarous countries, enslaved for crimes; and a large proportion of them are children. Whatever labour exists is free; induced, beyond the mere necessity of subsistence, solely by advice and conciliation, and by the certainty that the labourer will securely possess the fruits of his industry. Yet Sierra Leone need not be afraid of a comparison, even as regards its trade, with the long established colonies of the West Indies, notwithstanding all the advantages derived from wealth and art; from long practical experience; from a comparatively numerous resident White population; from the forced labour of nearly 800,000 slaves; and from protecting duties, injuriously affecting Sierra Leone in common with all the other tropical possessions of his Majesty.

If it be said that part of the goods exported to Sierra Leone is employed in trade with the neighbouring countries of Africa, so a very large proportion of the goods sent to the West Indies is re-exported, and employed in trade with the continent of South America, the foreign islands, and even with Africa.

Taking the year 1825* then as my guide, I will proceed to compare the exports to Sierra Leone with the declared value of those to the West Indies, the details of which last I have taken from the Parliamentary Paper No. 54, February 1826, p. 11.

* The amount on which duties were actually paid at Sierra Leone, in 1821, was 105,060*l*.; and in 1823, 121,442*l*.; either of which would give a larger proportion in favour of Sierra Leone than the year 1825, which I am using for the comparison; and that comparison also is instituted, not as it ought to be, taking the sum of 126,000*l*. as its basis, but the smaller sum of 106,567*l*.

POPULATION.	ABOUT	EXPORTS.	£	Proportion as to Population	Proportion as to Exports.
Sierra Leone ...	18,000	106,567	£		
The West Indies,	865,000	4,151,163	INSTEAD OF (the due proportion) 5,121,136	1 to 48.0	1 to 38.9
Jamaica	402,000	2,162,479*	2,379,996	1 to 22.3	1 to 20.2
Antigua	37,000	133,452	219,054	1 to 2.0	1 to 1.2
Barbadoes	100,000	339,060	592,039	1 to 5.5	1 to 3.1
Dominica	21,000	51,931	124,328	1 to 1.1	1 to 0.5
St. Vincent's ...	29,000	133,496	171,691	1 to 1.6	1 to 1.2
Grenada	30,000	92,013	177,611	1 to 1.7	1 to 0.8
Nevis	12,000	13,298	71,044	1 to 0.6	1 to 0.1
Demerara	81,000	401,581	479,551	1 to 4.5	1 to 3.7
Berbice	25,000	65,449	148,009	1 to 1.4	1 to 0.6
Montserrat ...	7,000	10,123	41,442	1 to 0.4	1 to 0.09

As regards the Import Trade, there is one circumstance which must not be lost sight of, and which shews at once how inadequate a criterion the official value of imports from the two countries, is of their real importance. The import of teake from Africa†, in 1825, (Par. Paper, No. 225, 6th April, 1826) was 18,984 loads, and this (according to the Par. Pap. No. 385, 18th May, 1826, being timber not described,) is valued at the official rate of only 10s. 6d. per load, whereas its real value was upwards of 7l. per load (without duty), or in the whole 132,888l. The official value of the whole is thus only 9,492l., being one-fourteenth part of the real value of the article. So with respect to many other articles: elephants' teeth, for example, are valued at 6l. instead of from 16l. to 20l. per cwt.; bees' wax at 4l. 15s. instead of 8l. 15s. per cwt., &c.; whilst coffee from the West Indies, worth about 45s. to 60s. per cwt. is *officially* valued at 7l. being an over-valuation of 4l. to 4l. 15s. for every cwt. imported.

It must also be remembered, that a new and rapidly increasing trade, in gold, with the interior tribes, has sprung up at Sierra Leone. What the import of this article may amount to cannot be known, as no entries are made of it at the Custom-house.

The quantity of shipping employed in any trade is a good

* This includes 914,728l. exported afterwards to Spanish America.

† Macqueen says, not half of this comes from Sierra Leone. Every person, at all acquainted with the subject, knows that nineteen-twentieths of it comes from that port, and is cut in that river.

criterion of its importance. That employed in the import trade from the West Indies, in the year 1825, was about 230,000 tons; that of Sierra Leone about 21,000 tons, being in the proportion of 1 to 11; whilst the population is only 1 to 48.

Foreign vessels are not allowed to enter at Sierra Leone; but an extensive trade is carried on with them in the neighbouring rivers by the colonists and residents of that place—the profits of which find their way thither and to England. Of the extent of this trade no correct statements can be made, as no Custom-house regulations exist among the native powers.—That the trade of the Coast generally, and of Sierra Leone in particular, increases, is undeniable. The official returns shew that the exports from England increase, and the increase of the revenue of Sierra Leone, where no additional duties have of late been imposed, confirms the fact; which is still farther confirmed by the reports to Government of his Majesty's Commissioners of the Mixed Slave Courts, who are on the spot, and have no interests to serve but those of truth. In proof of this, I may refer to their annual reports, generally; and will here only add one or two extracts from that contained in the Parliamentary Papers of 1824, 1825, Class A., p. 6.

“We are happy to be enabled to say, that the trade of Sierra Leone has increased since the date of the last report of the Commissioners. This increase we ascribe principally to the great influx of traders into the colony which has taken place within this last year, and, to the demand for African timber within the same period.

“The traders from the interior consist of the natives of Foutah Jallow, and of the natives of more distant countries. The natives of Foutah Jallow, or Foulahs, as they are termed, brought hither great numbers of large and small cattle with a considerable quantity of gold, considerable, we mean, in comparison with the quantity brought to the colony in former years.

“The natives of countries more distant than Foutah Jallow brought mostly gold: It was a singular circumstance that the influx of native traders into the colony was greatest in

the months of August and September, when the rains yet fell in the tract of country around Sierra Leone, and at Sierra Leone, with considerable violence. This circumstance shews the eagerness with which the natives were possessed to exchange their articles of commerce for the European goods to be found at Sierra Leone, and shews that energy is not wanting amongst the natives to make them engage in a commerce of a different nature from the commerce in slaves."

Again, in the Parliamentary Papers, 1824, Class B., page 4, they write thus:—

"The importance of bestowing this attention will appear more clearly from the fact, that during the short period of abandoned slave-trade, and legitimate commerce, that has elapsed since the capture of the *Rosalia*, the exports of African produce from the adjacent settlements of the *Isles de Loss* have increased beyond all conception.

"Among these exports was a quantity of wax, which, although amounting only to five or six tons, is worthy of particular notice, as it is now for the first time made an article of industry and trade, on the banks of the *Rio Pongas*. A large supply may consequently be expected in future years. The other articles included in these shipments are hides (about 5,000), also recently for the first time exported, and palm oil to the amount of 30,000 gallons, collected from two of the islands, *Tamara* and *Factory*, and from an extensive range of country on the opposite coast.

"A quantity of ivory, not much exceeding one ton, was also included."

Again (Class A., page 8, 1825-1826.)—"With respect to this colony, it is most gratifying to us to be enabled to state, that its export trade has increased, since the last report of the Commissioners, beyond any former period: the quantity of timber exported, from October last to the date of this report, is not less than 14,000 loads, with 22 vessels still lying here to obtain cargoes during the present shipping season (the end of May), while the exports for the following periods are as follows: from October 1821, to May 1822, one thousand loads; from October 1822, to May 1823,

seventeen hundred loads ; from October 1823, to May 1824, eleven thousand loads.

“ Great confidence has been given to the persons engaged in that trade by the colonial government having obtained the cession and sovereignty of the islands in this river, and also the northern bank of the same ; a measure which was alluded to in the last report of the Commissioners as extremely desirable to be accomplished. These merchants have thus become tenants of their own government, instead of living, as heretofore, at the mercy of the petty chiefs, who were their former landlords. They are already extending their trade and erecting more substantial buildings, on the faith of the protection which has thus been afforded to them. The value shipped in gold, brought from the interior during the same period, has been greater than all the preceding years together. No accurate account, however, of the shipment of this article can be obtained, as it is not entered at the Custom-house : we however know one merchant who alone has sent home upwards of 5,500*l.* worth.”

If Mr. Macqueen is to be believed, all the accounts of the fame which the colony has acquired, the influence which it exerts, and the good it has diffused over the neighbouring tribes, are false and unfounded, mere dreams and delusions. “ From all our exertions and all our expenditure,” he says, “ Africa has received no benefit whatever. We have improved no place and no people ; nay, by our conduct, our power has declined, is endangered in Africa ; and our useful and comparatively healthy possessions on the Gold Coast, are almost annihilated. Nothing remains to us in Africa but a place which is the grave of Europeans,” &c. But all this is mere assertion. He has not given one particle of proof to sustain it. He indeed refers to some gazettes, which relate alone to the progress of a war with slave traders, left unfinished by General Turner at his death ; but which Mr. Macqueen knew, when he wrote this letter, had terminated successfully. The refractory and hostile chiefs had been brought to terms : they had submitted, and had engaged to repair all the injury they had done to the property of the

colonists; and what is of a thousand times more consequence, they had bound themselves to adhere to the arrangements between the colonial government and the other native chiefs, by which an annual export of at least 15,000 slaves, with its attendant misery, devastation, and bloodshed, was abolished.

Mr. M. also makes a quotation from Major Laing, which may be a true extract, though I cannot find it in his work, but I am quite sure it is not a correct statement. I suspect it was written after the Major's visit to Scotland. "The fame which the place had acquired in the interior of Africa," he observes, "is properly stated by Major Laing, and which is to be mentioned with ridicule and contempt by the natives about 200 miles inland, who observe of it, '*Dat country no good,—dat woman's country—and no man's country.*'" The natives 200 miles inland could not speak English *at all*, and if it is intended as a literal translation of what they said in their native dialect, how came Major Laing to translate it into West-Indian (not Sierra Leone) jargon, instead of translating it into pure English?

With the sentiment itself, that Sierra Leone is a country where women are treated with comparative respect, I have no quarrel. And, however much the high station assigned to the female sex in Sierra Leone might excite the surprise and even contempt of a native chief, which was natural enough, I should scarcely have expected to find the same feeling in any educated member of a Christian community. Mr. Macqueen appears to think differently.

Let us see now what there is on the other side of the question, Major Laing himself says, p. 99,

"The revenue of the Timmanee headmen may have been considerable during the era of the Slave Trade; but since its successful suppression in the country in the vicinity of Sierra Leone, their income (even those who extract property by dint of imposition from strangers) is trifling."

Again (p. 382):

"Ah!" he exclaimed, "you English are good people; you do not wish to see Black men in trouble; you walk long journeys into the country for nothing else; you do not come for money; we have got nothing good to give you; you come

because you wish to help us; you keep ships to take the slaves from the bad White men, and you do not sell them; you put them down at Sierra Leone, give them plenty to eat, plenty to drink, plenty of clothes; and you teach them to know God. Governor MacCarthy must be a good man; I must be good friends with him.

Again, at p. 78:—"These people who generally emigrate in the first instance owing to the consequences of a palaver, after a short intercourse with Europeans, throw off their barbarous habits, and, adopting the European dress, seem desirous of conforming with all the customs of civilised life, which come within the reach of their pecuniary ability. Those of them who have resided for some years among Europeans, and who are in a manner weaned from the habits of their native country, (habits which after leaving off they invariably despise,) are particularly docile and in general much attached to their employers."

Again, at p. 339:—"As I left Talaba on the third day after the children had been inoculated, I am uncertain whether the pustules, which were in several instances beginning to form, wore a healthy appearance or not; but it is in itself an interesting fact that a nation so far in the interior of Africa, should have so readily submitted, at the instigation of a White man, who was almost a stranger to them, to an operation against which so much prejudice existed for so many years in the most enlightened and civilized countries in Europe! When the general prevalence of superstitious fear from græegrees and fetishes is duly considered, this fact presents a strong proof of the confidence which the natives of western Africa repose in the measures of White people to benefit them, and affords a no less strong presumption, that their other superstitious notions might soon be found to give way, in like manner, to the labours of the Missionary; and their present barbarous habits of obtaining slaves for trade, by force of arms, to the more rational proceeding of cultivating the soil for articles of commercial exchange."

The influence of the colony, combined with occasional visits from his Majesty's cruisers, has nearly effected a total abolition of the slave trade, from the Rio Nunez to the

Shebar inclusive, and substituted in its place a legitimate commerce, and has induced not only European and American slave-dealers, but native chiefs, to turn their slaves into a sort of, *adscripti glebæ*, and to look for benefit to the fruits of their labour, instead of to the sale of their persons; a system which, from the nature of African slavery, must soon bring them into the condition of freemen. The natives of the Nunez and Pongas have, through the influence and assistance of Sierra Leone, established plantations, and begun to trade in the innocent productions of the country. Headmen from the Soosoo, and other countries bring their people over to the river Sierra Leone, to work in the woods: and I have heard many of them calculate the advantages of their labour over the price of their persons.

The altered appearance of the natives round the colony, in dress and manner, must convince every spectator of their improvement; and it is well known, that their bloody and superstitious rites and ceremonies are fast retreating from the neighbourhood of Sierra Leone. Well acquainted as I am with what passes in the country, I have not heard of a single instance of the ordeal of "red water" proving fatal for many years. Of our influence with the native chiefs instances are abundant. Yaradeo, a barbarous chief, at the head of a considerable army, spared the life of Sanassee, his enemy, at the request of the Governor of Sierra Leone, with whom he had had no previous communication. The powerful King of the Foulahs is in close connexion with the colony, and has opened the roads between it and the interior. The King of Bambarra has sent messengers to the Governor. Chiefs from Kenghary, Bouree, and Balia have come to Sierra Leone to form commercial connexions with it. The Soombra Soosoos transferred the Isles de Loss to the colony at a time when the Americans were in treaty for it. In the face of Sir Charles MacCarthy's defeat and death, the hostile tribes of the Scarcies submitted their disputes to us, and the North Bulloms ceded the territories from which the teake is chiefly procured. In their distress, the Sherbro Bulloms threw themselves upon the protection of the colony; and their

enemies, the Cussos, sent messengers to sue for peace. The natives of Port Logo, when, about two years ago, their chief died, voluntarily requested to be admitted under the jurisdiction of the colony; and, so far from any unfriendly feeling existing after General Turner's death, the Soosoos and Mandingos referred their long and bloody disputes to the decision of the colonial government, the King even offering to resign his turban, if required; and they transferred the jurisdiction of their waters, with such land as might be requisite, for the purpose of preventing any export of slaves. The King of Barra, also, after positively refusing to the Governor, of Senegal, in person, to rent to the French, at Albreda, as much land as would form gardens, voluntarily transferred to the colonial government, on behalf of his Majesty, the whole jurisdiction of the river Gambia, and one mile inland of its northern bank in the kingdom of Barra; and did, in person, assist at the commencement of a British fort, on the point which commands the entrance of the river. Most of these facts have, I believe, been officially communicated to Earl Bathurst; and the conventions and agreements have been forwarded to him. Of the less formal facts, it might, perhaps, be requisite to adduce proof, if their universal publicity and notoriety amongst those acquainted with the colony were not sufficient. That General Turner bore testimony to their truth, Mr. Macqueen allows. Those who were acquainted with that lamented officer will know what value to attach to Mr. Macqueen's representation—that what he gave as his deliberate belief, formed from a twelvemonths' experience, was a dream or a delusion. The British Commissioners, in their communications, are full and explicit on this subject. They are men of respectability, and who have long resided on the coast; and they must have known the truth. Does Mr. Macqueen mean to assert that they have wilfully deceived his Majesty's Government, and that his mere assertion is to be believed in preference to their official report?

The relative healthiness and importance of Sierra Leone and the Gold Coast, have been long ago decided. The Ashantee war is well known to be a bequest of the old

African Company to their successors. With that war, neither Sierra Leone nor the government of Sierra Leone (with the exception of Sir C. MacCarthy, individually,) had any thing to do.

The greatest obstacle ever thrown in the way of the growing prosperity of Sierra Leone, has been the annexation of the Gold-Coast forts. One-half of the time and exertions of the Sierra-Leone Government has thus been abstracted from their proper sphere of action, the colony of Sierra Leone, without the compensatory addition of one officer to the establishment; for I cannot consider in that light the nomination of a number of honorary members of council, to an extent which has served only to clog the operations of government. The pressing exigencies of the Gold-Coast forts have, of late, unavoidably caused the affairs of Sierra Leone to be much neglected by its own government. They have, in fact, been as a millstone round its neck, cramping and weighing it down in every direction; and yet Sierra Leone is to be made accountable for the expense these useless forts have caused, and for the mortality they have occasioned. Wherever the blame may rest, this is certain, that, had the representations of the Sierra-Leone authorities been listened to, the government of the two places would not have remained united.

The question, however, is not in what estimation the British settlements, in general, may be held by the natives, but in what estimation is Sierra Leone held by them? What good has it done to them, and what influence does it possess among them? In reply, I affirm, that in these respects it stands as high as it is possible for any place to stand. I defy Mr. Macqueen to prove, not any one injurious act towards the natives, on the part of Sierra Leone; but that even the suspicion of one such act—of one act derogatory to the British character—of one act of ill faith or injustice—has ever been entertained by any native power.

Let us see what his Majesty's Commissioners say as to the good done by Sierra Leone, even in the old haunts of the Slave Trade. I cannot quote all they say, but must confine

myself to a few passages, first, of the Parl. Pap. of 1823, 1824, class B.

"The trade of the Rio Nunez," they say, "is considered of great importance. The returns to be obtained from it in hides, ivory, wax, and other articles of African produce, render it next to the Gambia in the means and opportunities of beneficial commerce. Unless so far as the pursuit of the slave trade will lead the traders, in particular instances, to Bissao and Cacheo, the general advantages of a superior market for the disposal of their own articles, and for the purchase of European commodities, will induce them to resort in preference to the British settlements at the Islés de Loss, or to this colony. We have much satisfaction in being enabled to state, upon the authority of information constantly received, from sources on the authenticity of which the fullest reliance may be placed, that no slave trade has existed in the Rio Pongas since the date of our last report." p. 2.

"Since the return of Lawrence from Freetown, in October, 1822, he has sent for further supplies of coffee plants, for the use of the principal persons settled on the banks of the Rio Pongas. These plants were forwarded to him in abundance, through Mr. Kenneth Macaulay, from the farm of the Chief Justice, near Freetown. A part of the plants sent at this time, was employed in forming a spacious plantation on the lands of S. E. Lightburn, of whom particular mention is made in our last Report. This plantation was laid out under the direction of a Frenchman, formerly a planter in St. Domingo, who was specially engaged by Mr. Lightburn to come from America for the purpose. We learn by the latest accounts that this plantation comes on well.

"The others, and among them that of Lawrence, have suffered by the influence of the dry season upon the young plants." p. 3.

"The multitude of labourers and assistants required in the preparation and carriage of this timber, in the various works of felling, squaring, hawling, floating, and shipping, left not an idle arm in the adjacent country.

"The women and young persons were employed in minis-

tering to the men: the payments made for these services, and for the timber itself, in British goods of the descriptions most sought by Africans, diffused wealth and joy throughout the country." p. 8.

"On the contrary, it is a fact well ascertained, that the character and objects of the colony, the authority of its government, and, above all, the immediate and beneficial influence of its legitimate commerce, operating in declared and direct hostility to that trade, have generally diminished the previous devotion to it, however strongly fixed by the depraved habits of accumulated ages.

"It may be regarded as certain, that it is only in times of particular and pressing distress, that slaves will be sold from these districts; and every year of favourable time will leave less reason to apprehend the danger in future." p. 8.

"This legitimate commerce, introduced on the adjacent coast by the settlement at Mesurado, will, we fairly hope, be speedily attended with the same auspicious results, which have marked the progress of the commerce of similar character established at Sierra Leone, and at the other British settlements on the coast." p. 10.

Then, in the Parl. Papers for 1824-25, class A., they observe:

"In the Rio Nunez there has not been any slave-ship for a considerable time past. Formerly the river was frequented with slave-ships, from the Havannah and other places. The natives of the river are now beginning to turn their exclusive attention to another and better sort of commerce than that of slaves, so as to make it worth the while of respectable mercantile people at Sierra Leone and at the Isles de Loss to enter into dealings with them." p. 4.

"A coffee plantation is proposed to be established in the Rio Nunez, by one of the White traders of the river." p. 5.

"We understand that most of the old slave-traders of the Rio Pongas are employed in the collection of the produce of the surrounding country, to dispose of it to the British traders of the Isles de Loss, or to those of this colony."

"In the last report of the Commissioners, it was stated

that John Ormond was unwilling to relinquish the hope of being again enabled to carry on the traffic in slaves. He, however, has been obliged to follow the example of the other traders in the river, and to turn his attention to a better traffic." p. 6.

"Along the coast, from the Rio Pongas to Sierra Leone, the foreign slave-trade has ceased. The natives of this coast are in constant intercourse with the colony of Sierra Leone. This intercourse is highly beneficial to the natives and to the colony." p. 8.

"Disturbances have lately existed in the tract of country of which we have just made mention. These disturbances were caused chiefly by the jealousies of chiefs of different districts; they have been in some measure removed by the friendly interference of the colonial government between the contending parties." p. 6.

"The Foulah traders, who were brought to Sierra Leone by Mr. O'Bierne, spread, it is understood, on their return to Foutah Jallow, the most favourable reports of Sierra Leone, its inhabitants, and its wealth."

"These reports were circulated in Foutah Jallow and in the surrounding countries, and contributed, with the favourable impressions of Sierra Leone which the King had received from the mission under Mr. O'Bierne, to the great influx of traders into the colony within this last year."

"At the close of the past year a messenger arrived at Sierra Leone from the King of Foutah Jallow, bringing a letter from the King to the Governor of Sierra Leone, expressive of the King's friendly regard for the colony, and of his wish that the Governor would send to him some munitions and other articles. A friendly answer was returned to this letter by the colonial government, and a present conformable to his wish was sent to the King." p. 7.

"The natives generally unite in parties to fell the timber, to prepare it, and to raft it down, for sale, to the different establishments. Sometimes a dozen natives will unite themselves for these purposes. At other times, a chief or headman will direct as many dependants, and domestic slaves as

he may have, to fell timber. Of the timber felled in this manner a part is reserved for the dependants and slaves, and sold for their benefit; the most considerable part, of course, is reserved for the chief. Single families residing near the water side will employ themselves in felling timber. Often natives who reside at some distance from the river come to the river side, obtain permission of its chief, for which permission they pay a trifling sum, and engage in large parties in the business of cutting timber." p. 8.

"When timber is in demand, many villages are to be seen on the main stream of Port-Logo river; and it is said that many of the creeks which but for the trade would be left to their native solitude, have habitations of industrious wood-cutters scattered on their banks." p. 8.

"The Rio Nunez, which we shall next consider, runs through a valuable country; and approaches Footah Jallow. During the legitimate slave-trade this was the great outlet of Foulah commerce through Labi, the northern capital of that kingdom; and if now well supplied with merchandise would, we understand, take away the whole produce trade of Bissao. It furnishes rice, gold, wax, hides, and ivory. Some of the merchants of this colony and the Isles de Loss have factories on its banks; and there is also a number of resident traders. It is always difficult to ascertain the amount of produce exported from the rivers upon this coast, out of British jurisdiction; but, from the best information, we have reason to believe that 30,000 hides, 100 tons of rice, 20 tons of bees' wax, 10 tons of ivory, and at least 3000*l.* worth of gold, have been procured in the Rio Nunez in the last twelve months; besides cattle, which may be purchased to any extent, and of which a considerable number have been exported in the last year into the West Indies. A slave vessel entered this river last November: the residents, however, refused to load her; and she was eventually supplied by a Portuguese, from Bissao." p. 7.

"Previous to the arrival of these vessels, the residents of that river (Rio Pongas), most of whom are Mulattoes, and possessed of a great number of domestic slaves, had been

turning their attention to agriculture; and in furtherance of it, procured some thousands of coffee plants from this colony. Since the last report of the Commissioners, a gentleman residing here, of himself, forwarded 10,000; and from a letter found on board the Spanish schooner, *Esparillo*, lately condemned by the British and Spanish Mixed Commission, we find that two of the most opulent White-traders in that river were employing themselves in legitimate trade and agriculture; and from other sources we have reason to believe such is the case. A civil war, which is however still carrying on, has tended much to disturb the innocent commerce of the Rio Pongas; and we fear is not likely to be amicably settled at present, the parties being very much exasperated against each other. Ormond, a native trader, assisted by the Foulahs, is opposed to Lawrence, Tom Curtis (who murdered the boat's-crew of his Majesty's gun brig *Thistle*), and some native chiefs. The Foulah in command has orders (as he says), from his chief, to get the heads of Lawrence, Curtis, and Yenge Coney, the chief native. This man has also told to respectable persons of this colony, that he is authorised, and anxious to give us the possession of the river which the Americans, settled there, are very desirous to obtain, in order to form an establishment under the protection of their nation.

"The value of the trade to them is most important, and the intercourse constant and regular with the United States.

"This nation has increased its commerce with the Rio Pongas in the last year, two fold." p. 7.

Such is the present condition of places where, a few years ago, the slave trade, with all its horrors, raged in full vigour. Whatever improvement has taken place, is the fruit of Sierra-Leonè example and influence, and to estimate that improvement properly, let us examine the condition of places where that example and that influence have not extended, as shewn by the same Commissioners in their official reports. (See the Parliamentary Papers of 1823-1824, class B.)

"The condition of slaves in the country and round the Gallinas is extremely abject. They are kept almost naked;

they are not allowed to join in the sports or in the society of the free people; and if occasionally they should be admitted to any familiarity, by particular indulgence, they are subject to be deprived of it at the caprice of a moment, with insulting taunts upon their abject condition, to which cuffs and kicks, and other acts of the most degrading violence, are generally added. If they are fit for sale, they may be sold on the most trifling provocation, and almost at the pleasure of their masters.

"In this, their condition is much worse than that of the people or domestic slaves of the chiefs of the Rio Pongas; for there, by the customary law of the country, the family slaves, or 'the people,' of a chief, as they are commonly called, cannot be sold, unless when condemned by regular palaver. The chief is bound, moreover, to protect them, and to maintain them properly, taking their labour and service in return; and if he should fail in these duties, the slaves are at liberty to place themselves under the protection of any other chiefs whom they may choose. The chief to whom they thus transfer themselves is bound to receive them, and to hold them unharmed, unless the master should prove the complaint to be unfounded, and thus entitle himself to regain possession of them." p. 20.

"The situation of the slave women at the Gallinas, is the most pitiable that can be imagined. They are alternately subject to the most toilsome labours, and to the lusts of their owners; and if by any lapse of natural affection, they happen to have children by other men, they are liable to be separated from their infants at any moment that the interest or the will of the master may doom them to sale. The child is taken from the arms and from the breast of the mother; and neither the complaints and lamentation of the parents, nor the piercing cries of the babe can excite a feeling of remorse in the obdurate heart of the barbarous despot, or of the inhuman traffickers.

"A very common mode of obtaining an extraordinary supply of slaves upon urgent occasions—such as the obligation to complete the delivery of a cargo of slaves, by a particular day—is by the collusion of the principal chiefs and dealers

with their wives. These wives are generally beyond number: the husbands have long ceased to cohabit with the greater part of them. Some they have merely betrothed to them, and have not yet commenced cohabitation with them. The women, thus separated from their husbands, are allowed to go abroad without restraint, and to form intrigues with men, whom, when they entangle, they betray.

“ These men, according to the custom of the country, forfeit ten slaves for the violation of the conjugal rights of the husband. Two of these slaves are for the cost of settling the palaver, by the judgment of the chiefs and elders; the remaining eight are for the compensation of the injury done. The woman is, by law, liable to punishment, if the husband chooses to make palaver for her; but in cases of this nature, they receive presents of cloth, and ornaments, and other marks of favour, instead of being prosecuted and punished for their criminal conduct. All these things are public, and undisguised. So little shame is there attendant upon the moral depravity of the collusive prostitution, or upon the abuse of the forms of justice to render that prostitution a source of base lucre to the parties conspiring, and an instrument of oppression to the victims of the conspiracy! Rum, the incentive of all corruption and depravity, is in unlimited circulation, in order to promote acts of this description, while the slave ships are present.” p. 20.

Having endeavoured to shew, and I trust successfully, that the charges brought against the colony by Mr. Macqueen are not supported by proof, and that he has not invalidated the previous accounts of its improvement given by others, I will proceed to notice one or two particulars, in the past management of the place, which I think have proved injurious to it. I will then make a few remarks on its present state, and future prospects, and on the advantages or disadvantages likely to arise either from extending to it the fostering care of the Government, on a more regular and systematic plan than heretofore, or from abandoning it altogether and seeking some new spot on which to place the liberated Africans, and to carry on the experiment of Negro civilization.

One great defect in the management of Sierra Leone, and which has considerably retarded its progress, has been the want of any thing like system, or preconcerted plan in the administration of its government. It was originally intended as an experiment on the practicability of civilizing the Negro race, and substituting a commerce in the natural productions of the soil, for that in the bodies of its inhabitants; and it was subsequently fixed upon, as the spot in which the liberated Africans were to be planted, and rendered an industrious, civilized, and Christian people, profitable to Great Britain, and beneficial to Africa. But, instead of fairly estimating the difficulties of such an experiment, and preparing the means of obviating those difficulties, by laying down, after mature deliberation, the principles which were to form the basis of the undertaking, as well as the general outline of the measures which were to be pursued, the whole of its administration, with the exception of its judicial system, was left to the chapter of accidents. No instructions were sent from hence: every governor was left to follow the suggestions of his own mind, both as regarded the disposal and treatment of the liberated Africans, and the general interests of the colony. The proceedings of each succeeding governor, however discordant from those who preceded him, appeared to meet with the same degree of approbation at home; and of the varying plans, hitherto pursued, no one has specifically received the sanction of his Majesty's Ministers, as that which was to be continued until its result should be ascertained. Each succeeding governor has felt himself, therefore, at perfect liberty to alter the arrangements of his predecessor as he pleased, even before he could have become fully acquainted with all the bearings of the questions at issue; and the latitude thus allowed has been freely used. No two succeeding governors have followed the same plan.

Another great defect has been, the insufficiency of the civil establishment for the duties to be performed. The civil establishment of the colony is not so great now as it was in 1809, when the population was only about two thousand. Since that time many thousand Negroes have been landed there:

the forts on the Gold Coast have been placed under its jurisdiction; the Gambia, and other dependencies, have been annexed to it; yet, not one additional officer (if we except three or four clerks in the Liberated-African department), has been added to the civil establishment. The fact is, that neither the general government nor the Liberated-African department have had officers adequate to perform the mere writing part of their duty, in a proper and efficient manner. Had not the colony been blessed with a few men of indefatigable energy, and iron constitutions, every thing must have gone into confusion. It is true that a general officer has his staff, which may or may not be efficient, and he can command other military assistance in his own line; but he cannot oblige, nor even require them to perform, colonial duties without remuneration; and, on many occasions, even this military assistance was not to be had. Such was often the case with Sir Charles MacCarthy, and also with Governor Turner, before his death; and such must it ever be when the government happens to devolve upon a civilian. With the aid of a private secretary, the colonial secretary, two writers, (one of whom, during the absence of the secretary, performs his duty,) and four acting writers, formed the whole establishment, for conducting the government of the colony, during a considerable part of the year 1826. With these inadequate means was the whole of the correspondence with his Majesty's Government at home, and the whole of the correspondence with, as well as the management of, the Gold Coast and the Gambia, to be kept up, independently of the controul of the various departments of the civil and military service, and the maintenance of our relations with the native powers around us. It is perfectly obvious that under such a pressure as this, little time could be spared for the multifarious duties which belong to a governor, in regard, either to the internal progress of the colony, or its external relations; to agricultural and other improvements; and to the increase of commerce.

Equally inadequate has been the establishment for the superintendence of the liberated Africans. The persons employed in this department have seldom been sufficient

to keep its multifarious accounts in order; and nothing but the unwearied exertions and uniform good health of the chief superintendant (Mr. Reffell), could have enabled him to devote any material share of attention to the concerns of the different villages. In each of these villages, even in the time of their greatest prosperity, there was seldom more than one person who had to perform the various duties of superintendant, magistrate, commissary of provisions, schoolmaster, and minister,—with the assistance perhaps of his wife, and of one or two liberated African teachers.

In the year 1826, there were sixteen villages*, besides great numbers of liberated Africans living in different hamlets; and yet, for performing the necessary duties of general superintendence; that is to say, receiving and providing for the newly imported Africans; providing, receiving, and taking care of the extensive stores of articles required for their use; supplying provisions and stores to the persons in charge of the villages; auditing and examining all the accounts from these villages; keeping and rendering the various returns, descriptions, receipts, cash, and store vouchers, and accounts connected with the department; together with a constant attention to the variety of details necessarily arising out of the general superintendence of so many settlements; the following were the only instruments, viz.: Mr. Reffell, the chief superintendant; Mr. Cole, his assistant; together with three European and two native clerks.

For the particular administration of these sixteen villages, composed at best of a half civilized, and, in many cases, a perfectly barbarous population, newly landed, many of them, out of the holds of slave-ships, in a state of extreme wretchedness and degradation; the whole establishment of persons who held the various offices of civil superintendants of villages, magistrates, ministers, religious and elementary instructors, was two European and two Coloured superintendants, one

* Gloucester, Regent, Leicester, Bathurst, Leopold, Charlotte, Hastings, Waterloo, Wellington, Kiskey, Wilberforce, Kent, York, Bananas, Congo Town, Portuguese Town.

Coloured schoolmaster, and, two Coloured schoolmistresses paid by the Government; and four European clergymen, one European schoolmaster, three Coloured schoolmistresses, and six liberated African teachers, paid by the Church Missionary Society; making, in all, four superintendants, four clergymen, two schoolmasters, five schoolmistresses, and six teachers.

It would be superfluous to make any further remarks, to prove the total inadequacy of such means for the real wants of a population so peculiarly constituted.

An arrangement was entered into between Earl Bathurst and the Church Missionary Society, which, if carried into effect, bade fair to provide a sufficiency of superintendants and instructors for the liberated Africans; but I regret to say, that this arrangement has not as yet been acted upon, except in a very limited measure.

And not only has the number of officers been small, but the salaries granted to them so inadequate, that it became necessary to join two situations together, as an inducement for persons of the requisite ability to accept an appointment. When a vacant situation was to be filled, it became necessary to give it to a person holding already some other post, as, otherwise, no person could be induced to undertake the duty for so inadequate a salary. Thus it happened that the surveyor of crown lands was also the civil engineer; and that the office of chief superintendant of liberated Africans was united with that of the collector, or of the colonial secretary, &c.

That the system of locating the liberated Africans in villages where they should labour for their own benefit, and thus become free agents, dependent upon their own exertions for the comforts of life, and subject only to the general police and laws of the colony, was a preferable system to that of apprenticing them for any length of time, even had such a course been at all practicable in Sierra Leone, can, I think, admit of no doubt. I feel satisfied that their progress in civilization has been more rapid, and their actual improvement and prosperity greater than if they had been kept in that state of servitude and dependence, which, in the circum-

stances of the Africans, apprenticeship necessarily involves. With adults especially, this state, in its influence and effects, does not differ materially from that of slavery, and presents almost as few incentives to exertion; and when the best part of life has been spent in labouring for another, without fee or reward, in a state of considerable personal restraint, it is scarcely reasonable to expect that the individual, at the termination of his period of constrained service, should become ambitious, during the remainder of his life, of doing more than might be sufficient for procuring the mere necessities of food and clothing;—and this, more especially, when the sole employment of his years of apprenticeship has been that of mere servile labour. It was a fortunate circumstance in the case of those apprenticed at Sierra Leone, that their number was so small, that nearly the whole of them were trained as mechanics, a circumstance which gave them a great superiority to mere labourers; and the short term of their apprenticeship, in the case of adults never exceeding three years, prevented much of the evil effects which would have attended a more protracted term of servitude. Situated, however, as Sierra Leone is, I do not think that even this modified system of apprenticeship could have been advantageously carried into any much more extensive practice.

But there have been unfortunately some material defects and errors in carrying the system of location into effect. The villages were formed in the mountains, instead of the plains. The liberated Negroes had the formidable obstacles of immense forest-trees, and piles of granite to contend with; and when the land was cleared, the heavy rains washed from the sides of the hills the superficial mould, and gave to the surface the appearance of gravel. Had the locations been made in the plains, although the large timber, which, however, was not so general as in the mountains, would certainly have still presented some difficulty; yet the land when cleared would all have been comparatively good and productive; and the rains would only have had a fertilizing and not an impoverishing effect on the soil; whilst the cultivators would have enjoyed the benefit of water-carriage, and all the other ad-

vantages, which are to be derived from the vicinity of the sea. —It must also be admitted that the people were allowed rations far too long, and were kept too much about the villages, for the sake of instruction; while the requisite attention was not paid to the promotion of agriculture, and of the arts connected with it. I am aware, indeed, that it was highly expedient to make great exertions to form a nucleus of civilization and morality in the first instance, around which the newly imported Africans should be placed; and it cannot be denied, that the facility with which these now intermix and amalgamate with their more advanced brethren, and are melted as it were into the general mass of orderly subjects, would have been far less than it now is, if they had been at first wholly confined to the labours of agriculture, to the comparative neglect of moral and religious instruction. Still I think that the system in question may have been continued too long after the quantity of improvement and civilization in the colony was quite sufficient to counteract and absorb, as it were, the fresh importations of ignorance and degradation, which were occurring from time to time. —It was also a defect, perhaps unavoidable, that persons capable of instructing them in the details of tropical agriculture, of that species at least which related to exportable produce, were not employed for that purpose.

Another, and that one of the most material errors on the part of the local government, was, that lands have never (except in a few instances by Governor Maxwell) been allotted to the liberated Africans. They have undoubtedly been at liberty to cultivate unoccupied land where they pleased; but no title has ever been given them to the land so cultivated; and I have known instances where individuals, after having cultivated a portion of land, have been deprived of it. The African has, by his experience of European oppression and cruelty, been rendered suspicious; and it is not to be expected that he will expend much of either labour or capital upon land of which his tenure is insecure, and of the improvement of which neither he nor his children are certain to reap the advantage. But we have numerous instances of liberated

Africans having made regular purchases of land, in which their tenure being secure, they have freely expended both labour and capital.

Another evil of easy removal, but which materially affects both the improvement and the health of the colony, has been allowed to continue unredressed for many years. The original settlers, both Nova Scotians and Maroons, had lands granted them adjoining to Freetown. Various circumstances have led the grantees to employ themselves either as traders or mechanics; and the land so granted to them they have neglected to cultivate, and yet refuse to sell. The consequence is, that near to Freetown stands a belt of thick forest of considerable depth, breeding miasma and fever; and that the cultivation which actually exists lies principally on the other side of this belt, at least at a distance from, and out of sight of, Freetown, while its immediate vicinity wears an aspect of desolation. Orders from the Government at home are required to supply a complete remedy for this evil, by means of a local act.

Both the commerce of the colony and its intercourse with the interior have been objects too little attended to by the colonial government. Up to the year 1822 indeed they were almost totally neglected, and till the arrival of General Turner were looked upon as almost beneath the notice of the local authorities. Since 1822 an increased attention has been paid to the intercourse with the interior nations, and to the opening of good roads for carrying on that intercourse. But, after all, what has been done has been chiefly through private exertion and influence, and by private means. Neither have the government at home given to this object that protection and encouragement which I humbly think it deserves. The Commissioners of the Navy have only taken an annual supply of about 3,000 loads of its excellent teake, whilst they have been paying a larger price for quantities of inferior timber, from foreign states; and its produce (*coffee, &c.*) is made to pay heavier duties than that of our slave colonies.

Let us now consider the present state of the colony.

It contains about twenty thousand free Negroes, who have been collected on that spot from various parts of the world;

some from North America, some from the mountains of Jamaica, and others from the immediately adjoining nations of Africa; but the great majority of them consists of those who have been rescued from the holds of slave vessels, and landed on its shores in the lowest state of misery, debility, and degradation. These liberated captives have attained to various degrees, according to the length of their residence and other circumstances, of moral improvement, civilization, and prosperity. They are all living under the protection of British law, which they enjoy as fully as any other class of the inhabitants, being equally subject to its penalties, and equally bound to fulfil its obligations. Nearly the whole police of the colony is administered by them; and in no part of the world is justice more freely and equitably dispensed, or its decisions more promptly and willingly obeyed. And although the nature of the population might not seem to authorise such a conclusion, yet I can confidently appeal to the calendars, and police records, as a proof that, in regard to the infrequency of crime, it may bear a favourable comparison with most parts of his Majesty's dominions.

A large portion of the colony are enjoying, and all have access to, the means of moral and religious instruction. Upwards of one fourth are regular attendants on the public ordinances of religion. They have built for themselves various and expensive places of worship; some of them are employed in ministering to the spiritual necessities of their brethren; and a more orderly, decent, and well conducted people, considering their circumstances, is no where to be found.

That agriculture has not been sufficiently attended to, and that all the industry they are capable of has not been exerted, is true; but it is not true, that they will not work, and work diligently, for wages: nor is it true that their wants and desires are bounded by a bare subsistence, by food and clothing. They were all landed in the colony, without a single article of any description in the shape of property, almost naked as they were born. Their hands were their only capital, and many of them scarcely knew the use of these. Whatever property they now possess, their money, their

shops, their vessels, their houses, their furniture, are all the fruits of their own industry. The population of the colony has been, and still is, but small, whilst the demand for labour, both for public and for private purposes, and for the commerce of the colony, has been great. The inhabitants, as free agents, have naturally employed themselves in that way which paid them best; and if they have, by collecting, instead of growing, the produce of Africa, enriched themselves, and increased the trade of the colony to its present extent, who can have any right to find fault with them for so doing? The population is now, at length, growing larger than the mechanical or commercial wants of the colony, can supply with labour, and the surplus must of course, resort to agriculture. If capitalists would invest money in cultivating the soil, the people would work for hire; if not, they will be induced, I doubt not, to cultivate it on their own account.

Several of the Black and Coloured colonists are persons both of property and respectability, and are admitted to the tables of the principal Europeans. Some of them have served with great credit to themselves, and benefit to the colony, the offices of Alderman, Mayor, Coroner, and Sheriff; and their mercantile transactions are of considerable magnitude. Numbers of them are possessed of excellent stone houses, well furnished. Their clothing is equal to persons of their rank in England, and their stile of living is respectable. Their families are brought up in a decent, moral manner; and some, not satisfied with the means of education afforded by the colony, have sent their children to England: witness, Messts. Gabbidon, Wilson, Wise, Williams; &c.

The duties of Commissioners for the recovery of small debts, of grand and petty juries, of head and petty constables, and of the other offices of police, have been performed by the inhabitants generally, in a manner which has given satisfaction to every magistrate. The general respectability of their houses, of their appearance, and of their conduct, is universally allowed.

They have built, for their own use, several stone and other

decent places of worship; the expenses; and the ministry of which (except one Wesleyan Missionary), is provided for by themselves, and they are constant and regular attendants in them.

Mr. Macqueen indeed says, that all this is confined to the Maroons and Nova-Scotians, and that it was brought by them from America, and Jamaica,—these “brought with them, and have retained, though I can scarcely say improved, the civilization which they had learned from their acquaintance and connexion with civilized life in those quarters of the world alluded to.” I have no objection to examine this statement, and to stake the credit of Sierra Leone on the result of that examination.

The Maroons of Jamaica, and the Maroons of Sierra Leone, were, not many years ago, the same people, living in the same mountains. The Maroons of Jamaica have remained there still: their pursuits have been uninterrupted; their property untouched; and they have had the advantage of the fostering care of the government and the legislature of Jamaica.

The Maroons of Sierra Leone were deprived, by that government and that legislature, of their homes, of their all, and transplanted to the inhospitable climate of Nova Scotia: After much severe suffering they were removed thence to Sierra Leone, where they were landed, in the year 1801, without any property whatever, but the clothes on their backs and the muskets in their hands; and the only advantage or opportunity of improvement these poor people have enjoyed has been from the “wretched mismanaged” system of this colony.

Which of these two divisions of Maroons ought to have improved most, Mr. Macqueen can easily tell. Which *has* improved most, it will not be difficult to discover. The Sierra-Leone Maroons have renounced polygamy; they have become an educated, moral, and religious people; they have built places of worship, and defray the expenses attending them. Many have, by their industry, provided themselves with good houses, and they live in them as civilized Englishmen, eating their luxuries and drinking their wine. Many of them have acquired considerable property, are engaged

daily in the occupations and transactions of social and commercial life, on a large scale; are fulfilling their duties as members of the community in various offices, from the lowest to the highest, except in the council; and, not satisfied with the education they have themselves acquired, or with the means afforded by the colony, are, in some instances, sending their children, at their own expense, to England for a superior education.—Have the Jamaica Maroons reached one step in this scale of improvement? Have they renounced polygamy? Have they built places of worship? Are they educated on religion? Do their houses or luxuries exceed, to any extent, the mere necessities of nature? Have they any thing that can be called considerable property? Do their frequent transactions extend to hundreds of pounds? Do they perform, or are they fit to perform, the duties of jurymen, constable, alderman, coroner, sheriff? Or do any of them send their children to England, at their own expense, for education? To all these questions I can answer, no; and, I challenge Mr. Macqueen to bring any proof to the contrary. If this be so—if the Sierra-Leone Maroons, with the disadvantages of being transported across the ocean twice, are, at the present time, so superior to their brethren in Jamaica, I cannot but think well of the system which has made them so. I cannot but think that the colony has fulfilled all reasonable expectations. I cannot but think that it is well adapted for the improvement of the African race.

It may be necessary to say a few words on the present state of the liberated Africans, as distinguished from the other classes of the community.

A considerable number of them can read, many can write, and several of them are employed as teachers and clerks. Some of them are possessed of good stone-houses in Freetown, and many have very excellent houses, partly of stone and partly of wood. They are rising fast in the scale of respectability. Some have served as jurymen; many are employed in the police of Freetown; and all the police of their own villages is administered by them. In the villages their houses are good, and comfortable, though in few instances made of very durable materials; and they are all, more or

less, furnished. Nearly the whole live by their own industry: many of them, undoubtedly, are satisfied with the mere necessities of life; but the majority, especially the young, are not so: they endeavour to raise themselves in society; and to become possessed of the decencies and luxuries of life, and to amass property. The liberated Africans constitute a large proportion of the mechanics of the colony; a great number of them are engaged in retail trade, or in commerce with the natives; and many of them are constantly credited with hundreds of pounds, and their dealings appear fair, honourable, and profitable. A large portion of them are orderly and constant attendants on places of worship; some of which, of stone, have been in great part, if not entirely, built by them, and at their expense; and they are bringing up their families in a decent and Christian manner. They are in fact all that could have been expected, when their original condition, the short time they have been in the colony, and their opportunities, are considered.

That more money has been expended upon them than was necessary, and that the best use was not made of the liberal allowances of his Majesty's Government, is true. Still, allowing all this, I am positive that in no part of his Majesty's dominions could they have been supported for double the expense they have cost at Sierra Leone. The whole expense incurred in the year 1825, including superintendents' and teachers' salaries, expense of schools, medical attendance, food, clothing, tools, land, extras for the sick; &c. &c., was 29,371*l.* 1*s.* 3*d.*, or an annual expense of 1*l.* 16*s.* 8*d.* for each liberated African in the colony. The food of a male liberated African, on full rations of the most expensive kind that is issued to them at Sierra Leone, is as follows:—

365 quarts, or 11 bushels 13 quarts, rice, at	
3 <i>s.</i> 9 <i>d.</i>	£2 2 9
23 quarts palm oil, at 1 <i>s.</i> 10 <i>d.</i> per gallon	0 10 6½
2 quarts salt, at 2 <i>s.</i> per bushel	0 0 1½
	Sterling £2 13 5

or 1½*d.* per day for an adult male; whilst it appears, from the report of his Majesty's Commissioners, that at Antigua

(Parliamentary Paper No. 442, 1824), the mere food cost 4½d. sterling, for each person, per day. This would give a difference of annual expense in the food alone consumed by the 4,273 supported by Government, in January 1825, of 17,830l. 7s. 5d.; and by the 2737, in January 1826, of 11,421l. 5s. 5d., supposing the whole fed at Sierra Leone to have been male adults. But when it is considered that a large proportion were women and children, at inferior allowances, the advantage in its favour is much greater.

The expense of maintaining the Negroes under the civil government at Demerara appears, on an average of eight years, from 1815 to 1822 (see Parliamentary Paper No. 425 of 1824), to have been 4d. 9-10ths per day, which is greater than that of Antigua.

We have, in the same Parliamentary Paper, an account of the total expenditure at Trinidad for eight years, on account of Negroes belonging to the Government, under the various heads of "subsistence money," "salt fish," "clothing," "physician's salary and allowance for medicine," "hospital expenses," "salaries of overseers and guardians of sick," "extra allowances at Christmas," "rewards to children," "overseers, for their instruction," which gives an annual average charge for each Negro of 38l. 2s. 10½d. Trinidad currency, or at the exchange of 225 of 16l. 19s. 0½d. sterling. Let us compare this with Sierra Leone.

It appears, by the Parliamentary Paper 389, of 1826, that the total sum expended on liberated Africans, in the five preceding years, was £159,107 12 11½. To this may be added, the supplies sent from England; (although I doubt if they were shipped in each year); and which I will take at the estimate of 1825 (Parliamentary Paper No. 212), for five years, at 11,700l. 1s. per annum 58,500 5 0

£217,607 17 11½

The number receiving provisions during this period appears, by the return 389, to have been 21,725, or 4,345 annually,

which would give an annual average expense of 10*l.* 0*s.* 4*d.* sterling, for each person actually rationed. In addition, however to the expenses incurred for these, there is included in the above amount various large sums paid for the general superintendence, and for the government, teaching, and police of the thousands settled in the colony and supporting themselves;—for the forming of new villages, the making of new roads, the building of superintendents' houses, hospitals, schools, and churches, none of which appear to be included in the Trinidad expenditure. The expense alone of the Negroes receiving provisions would, at the rate paid in Trinidad, for five years, have been..... £368,258 19 7
In Sierra Leone it has been only 217,607 17 11

Difference ... £ 150,651 1 8

being a saving, by having them at Sierra Leone, of above 30,000*l.* per annum, in addition to whatever part of the Sierra-Leone expenditure is fairly applicable, not to the care and subsistence of a portion merely of the liberated Africans, but to the general care of the whole, and to the other public purposes above-mentioned.

The difficulties which attend all new settlements in barbarous countries have been nearly surmounted in Sierra Leone. The land has been, in some measure, cleared. A port, with its wharfs and offices, has been formed. Towns have been built. The edifices necessary for public business and private accommodation have been erected; markets have been established; vessels from Europe and America resort to it as a mart; and natives, from the interior, find their way down for those articles formerly procured through the great desert. Its name and its fame are spread through Africa; the people, to a great extent of country round it, are satisfied of the justice and good faith and fair intentions of its government, and of the advantages to be derived from a communication with it. The slave trade has been repressed to a considerable distance, both north and south; and security, peace, and industry, substituted in its place. Within the colony itself is a free Black population, well-behaved and moral, fulfilling all the

duties of social and civilized life; who have, by their industry, amassed considerable property; amongst whom gradations of rank and respectability are established; who, generally speaking, not satisfied with the station they hold, are aspiring to one higher; and amongst whom the number of persons capable of more profitable pursuits than that of their own manual labour is increasing every day. Many of them are themselves partially educated; and with almost all exists the desire, that their children should be educated, too, and in a still greater degree.

These people are now in a state of daily improvement; and if the fostering care of the British Government is continued to them, there is no doubt but their progress will be rapid and satisfactory. They are not, however, so far advanced, nor are their habits so fixed, that they could, with safety, be left to themselves. If British protection and superintendence are withdrawn from them, there is a danger that they will retrograde towards barbarism; and that all the care and expenditure which have been bestowed on them will be thus thrown away.

And then, as regards the nations in its vicinity; if Sierra Leone is kept up on its present footing, its influence must daily extend, and the abandonment of the slave trade, which now exists, with a few exceptions, from the Gambia to Mesurado, become fixed and permanent. The chiefs and land owners will turn their attention to commerce and agriculture; the slaves will become "glebe adscripti," and industry, peace, and happiness will in time cover the whole country. But if the influence of Sierra Leone is withdrawn, the slave trader will step in; these countries will again become the scene of rapine, injustice, and blood; and the wretched inhabitants be rendered more miserable than before. All they will then owe to Great Britain will be a capability of a more acute feeling of their sufferings, mixed with the pangs of disappointed hope. Yet it is proposed that this should be done, and that a settlement should be formed on the island of Fernando Po, there to renew the experiment which is said to have failed at Sierra Leone. It

is boldly stated, that that island possesses every advantage over the colony; and that, therefore, the general Government and Mixed Commission Courts should be removed thither; and, for the future, all slaves captured by our cruisers should be landed and settled there.

I confidently trust, that, when the matter is fully investigated, it will be seen that the experiment has not failed at Sierra Leone, but that as much improvement has taken place as could have been reasonably expected. Persons, however, may be inclined to believe that Fernando Po affords advantages for the future which would more than counterbalance those to be abandoned in the present forward state of Sierra Leone, including the established machinery, if I may use the word, of the Liberated-African Department in that colony. I will therefore take the liberty of examining some of the reasons brought forward for this very serious and very expensive undertaking.

If a mere change of the system on which the liberated Africans are to be managed is the object in view, that can be carried into effect with as much facility at Sierra Leone as at Fernando Po. Earl Bathurst has only to lay down some settled plan, and to give his orders that it be steadily pursued for the future.

The pretended unhealthiness of Sierra Leone is urged by many as a serious objection to it. Have we any proof that it is more unhealthy than other tropical countries; or any reason to believe that Fernando Po is less so? Upon this latter point we know little, and that little is against the supposition. The Spaniards who attempted to settle there in 1778 appear to have suffered most severely; having nearly all died, although settled on the south side, and, consequently to *windward*, and not to *leeward*, as represented in the Quarterly Review. Islands are said to be more healthy than the continent; but, even if true, Fernando Po has little of that advantage. It is situated at the bottom of the bight of Biafra, within a few miles of the continent, and near the mouth of several large rivers, daily pouring into the waters around it all the putrid vegetable matter which they bring

down from the interior. I have not visited it myself; but I have been informed by officers of the navy, that in the dry season the heat is excessive, and in the wet season the rains are more violent, heavy, and continued, than on the windward coast. And I know, from long experience, that nearly all the mortality of our squadron has taken place in the bights of Behin and Biafra; and that nearly all the officers who have fallen victims to the climate, have died to leeward of Cape Palmas. The rate of mortality in the squadron has been altogether very small; and though regularly made a subject of complaint or exultation by a certain class of writers, is nothing like that on the Jamaica station. But be the mortality what it may, very little has happened on the windward coast. Sir Robert Mends died to leeward, as did Captain Saumarez; Lieutenant Henderson, commander of the Snapper; Lieutenant Scott, commander of the Swinger; Lieutenant Clarkson, commander of the same vessel; whilst the only officer whom I at present remember to have died on the windward coast is Lieutenant Poingdestre, commander of the Swinger, at the Gambia.

Some officers, who have visited Fernando Po occasionally in the dry season, may speak well of it; but is that the case generally? On so important a point as this, all possible testimony should be collected before an opinion is decidedly formed. There are, at the present moment, in England, many officers who have commanded ships on that station: what say they? What is the opinion, on the comparative healthiness of Sierra Leone and the bights of Benin and Biafra, of Captains Willis, Clavering, Courtenay, Woolcombe, Filmore, &c.? I am much mistaken if their opinion does not prove as decisive in favour of the former as the actual records of death would do.

Another advantage to be gained by the removal of the government to Fernando Po is said to be, that by this means the slave trade at present carried on in the vicinity will be destroyed. Such an establishment would, most probably, drive the slave traders from that part of the coast, and so save it from their ravages. Such has been the case wherever

a British settlement has been formed. But if, for this purpose, you abandon those already established, you only drive the slave trader from his present haunts to those you are abandoning: you are in fact, with the view of securing the future safety of the people of the bights, delivering over to all the horrors of the trade those countries you have protected so long, and where the trade is already effectually abolished. For future hopes you are sacrificing all the fruits of your past exertions. Whether such a line of conduct would be a wise one, I much doubt; but if the policy be only to stop the trade, by forming fresh British posts in addition to those at present existing, I have no doubt but that, if they can be established, the plan will be successful.

It is said also, that Sierra Leone is not fertile. I deny the fact. I allow that her mountains are not so well adapted for cultivation as her plains: but are the mountains of Fernando Po more so? Round Sierra Leone are rich and fertile plains for hundreds of miles. There can be nothing of the kind, to any extent, at Fernando Po. Sierra Leone has always been productive in rice, yams, corn, cassada; whilst coffee and many other valuable plants are indigenous. We have never as yet ascertained that Fernando Po produces any thing but yams.

One of the points on which Mr. Macqueen harps is, that Sierra Leone is ill situated for trade or intercourse with the interior. But what does he mean by this? That Sierra Leone is very distant from some parts of Africa is true; and so must every settlement be. That it is more distant from the countries bordering on the bights of Benin and Biafra, and those lying behind them, than Fernando Po, is also true. But it does not follow that that circumstance is either an advantage or disadvantage. What reason have we to believe that these nations are superior to others situated nearer to Sierra Leone? Is the cultivation of the soil the object? I presume the west coast is as fertile as the south; and the nations already weaning from the slave trade, and looking to labour as their means of subsistence, are more likely to be productive growers than those still suffering all

the debasement of an active slave-trade. If the precious metals are the objects, there is no doubt but we are nearer to the countries abounding in gold than Fernando Po. All accounts from Ashantee and Sakatoo agree in stating, that the gold comes from the countries north-west of the former, and west of the latter country; and we have latterly ascertained that Kang Kang, Boove, &c. are so situated, and are not a month's journey from Sierra Leone. A barrier, created by the Slave Trade, long prevented any intercourse between the two places. This was partially removed in 1823; and though wars have existed among the intermediate tribes, yet the quantity brought down in 1826 is supposed to have exceeded 20,000*l*.

If the object is, that industry, knowledge, civilization, and true religion, are to spread from our settlements to the neighbouring tribes, and thence over the whole of this vast continent, Sierra Leone, or any point on the main land, must be preferable to an island. In the latter, all these invaluable blessings will be shut up—closed by an impenetrable barrier to the natives of the continent. Your colonists may visit them—they may form factories for trade in the native countries; but the natives will not visit you. From such men as may turn traders in the surrounding rivers the natives are not likely to derive much benefit; and however great may be your improvement in the moral, social, or religious virtues in your island, yet to the generality of the surrounding natives, your example will be a sealed book.

Fernando Po has certainly one advantage over Sierra Leone. Whilst the Slave Trade exists in the bights, the slaves captured can be more readily landed there, and considerable mortality saved. But drive the trade from the bights to the windward coast, and even this advantage is gone. If you succeed in your object of rescuing the surrounding rivers from this scourge, your vicinity to the scene of the trade no longer exists. But, even at present, do not, in looking at the saving of life in those unfortunate objects of your humanity, wholly overlook the equally im-

portant object, the health of your own officers and men. Highly important as is the former object, let it not be purchased at the sacrifice of the latter, who undoubtedly derive the utmost benefit from their visits to the windward coast.

There is one important advantage which Sierra Leone has over Fernando Po, or any new establishment; and that is, the existence of a civilized and orderly population, speaking the languages of nearly every nation in Africa; among whom, the newly landed would find themselves at home; and whose example must give great facility to the means employed for the improvement of their countrymen; whilst at Fernando Po, the only example of Negro life which they could witness, would be that of a people, if possible, more barbarous than themselves.

But the question arises, Will the natives of Fernando Po quietly suffer you to settle on their island? Will they sell you their small and confined birth-rights? And this question must be looked at as an insulated question, not to be decided by any experience on the continent where land is in abundance. We find the natives did not receive the Spaniards kindly, nor are we told whether any of those colonists fell victims to their secret acts, or open force. What right have we to expect that they will receive us more kindly than they did the Spaniards. They appear to be wild and savage in the extreme: our only intercourse with them has been an exchange of iron hoops for yams. Nor has that intercourse always been peaceful. A conflict took place between them and the boats-crews of the *Owen Glendower*, in which several on both sides were wounded (including Captain Stokes), and, I have heard, some killed. Is it likely, then, that, if fully aware of our object, they would quietly allow us to take possession of their country? I think not; and I feel satisfied, that if either fraud or force must be employed for that purpose, the question is at rest.

Supposing, however, that we are able to take peaceful and fair possession of the island, have we fully calculated the cost and labour of an establishment upon it?

The land is to be cleared of its immense forests—neither an easy, nor healthy, nor cheap work, in a tropical country. What the sacrifice of European life may be, we know not; but let us take care, that even more Negro lives are not lost in that attempt, than would be lost in the voyage to Sierra Leone. A town is to be built; wharfs raised; public buildings of every description,—churches, hospitals, schools to be erected; roads to be made; villages to be formed; a Government, Judges, Courts, establishments civil and military, to be provided; and all on the mere probability that success may follow.

To obtain these objects, great exertions, severe sufferings, and privations, heavy expenditure, and distressing mortality must be encountered, in comparison of which the future demands of Sierra Leone would be a mere trifle; whilst the relative benefits to be obtained from each, for years to come, must be much in favour of the latter place.

The “industry, knowledge, civilization, and true religion,” which have gained a footing there, are increasing, and must increase. And whatever benefits these will confer—whatever assistance these will afford towards the improvement of the untutored African, will be enjoyed by the liberated slave landed in that colony; whilst the same slave, if landed at Fernando Po, cannot, for some years, meet with any body of Negroes more civilized than himself. The work of amelioration must there be commenced anew, with men in the lowest state of debasement and ignorance.

Such, perhaps, may be the object of the enemies of Sierra Leone, and of the African race. It is, perhaps, not uncharitable to suppose that, in their eyes, the present state of improvement, and the future prospects of Sierra Leone, are its greatest crime. If these can be crushed and destroyed, if Great Britain can be persuaded to relinquish all the fruits of her exertions on that part of Africa, and commence the experiment of Negro civilization afresh in some other, the result of that experiment must, for years, be retarded; and, perhaps, there lurks the secret hope that the dangers, the difficulties, and the disappointments which necessarily attend

a new settlement, may weary out the patience of his Majesty's Government, and the work of African amelioration be given up in despair. But should they be disappointed—should the settlement, after years of exertions and dangers, overcome the obstacles in its way, and rear its head to be what Sierra Leone now is,—there will be no want of disinterested individuals to calumniate and abuse it; to proclaim its expense, its mismanagement, its failure, and its enormities; and to propose that it should be abandoned for some new experiment in the deserts of Sallaara, or the forests of Benguela.

APPENDIX.

THE following are farther testimonials in favour of the improved state of Sierra Leone and its various classes of inhabitants, in addition to those inserted in the body of the preceding remarks.

The Rev. S. J. Mills says, (see his report, previously referred to), Sierra Leone, Wednesday, 25th March, 1818, "In the market-place this morning, I saw beef, pork, lamb, fowls, fish, and a variety of fruits and vegetables."

Again he says, "The local situation of the colony is admirable for health and commerce. The sea breeze has free access, the mountains are high, and the river is navigable by the largest ships."

Again—"Free Town makes a very decent appearance; the streets are at right angles, wide and neat; fruit-trees grow about the town: the houses formerly built were small; but those now building are of stone, two stories high, airy, and convenient. The colony is advancing in wealth with sufficient rapidity. Trade has been chiefly pursued, but agriculture begins to have a share of attention."

Sir George Collier says, in his second annual report to the Admiralty, "I turn now to a more desirable subject, in speaking of the continued and increasing improvements of Free Town, which attracted my particular notice, and added to my respect for the governor, whose perseverance and indefatigable exertions, though almost unaided and unassisted in the great and laborious duties he has to perform, had effected more than I had thought possible. For it is not merely to the improvements of Free Town, nor to the comforts of the residents, that Governor MacCarthy's mind is given, but likewise to the general increase of the colony, by attending to the population from one extremity of this peninsula to the other, by protecting the untutored and ignorant African, and giving the most patient consideration to his most minute grievances and wants."

Again he says; "Stone and brick buildings are now succeeding the wooden houses and crazy huts, of which, in former days, Free Town was composed: and the improvement, by bridges of stone over the rough and craggy water courses which the torrents have formed, is very considerable,

"A reservoir is now forming for affording a more ready supply of water to men of war and shipping, without interrupting the demand for town. This, as in my former report, I observed, was much wanted: still, an additional conductor to this supply from the town must be prepared, if Free Town continues to increase as rapidly as it has done since I have had opportunities of making any observations upon it."

Again he says, "The incessant employment here given to mechanics, carpenters, and joiners, in particular, may be accounted for in the never-ending demand for houses, and the necessity of getting over certain parts of the work before the setting in of the periodical rains, so that the price of labour, which to mechanics is generally from three to four shillings a day, rises frequently to something most extraordinary."

Another Missionary from the American Colonization Society says (see Appendix to their Fourth Annual Report)—"I look at the prosperous condition of Free Town, and then cast my eyes at Kiskey Town, at Leicester Mountain, at Regent Town, at Cape Shilling. It causes my heart to pant for the day that America shall have a foot hold on the continent. This colony has had its great difficulties, but it now blooms. Our people's minds seem to be turning towards it, but they wish with all their hearts for the establishment of our colony; but doubts begin to arise in the minds of some, and I have but few comforters among them."

Sir C. MacCarthy, in a letter to Earl Bathurst, dated 14th January 1822, says,—"I have employed as great a proportion of my time as I could spare from my other duties in visiting the towns and villages on the peninsula, inhabited by liberated Negroes, and discharged soldiers from the second and fourth West-India regiments, and the Royal-African corps, and it affords me the highest gratification to say, that I have found these people happy, contented, and industrious, more particularly the former class (liberated Africans), who at different periods were landed here from

the holds of slave ships ; and, under the zealous care of the chief superintendant, Mr. Reffell, and of the superintendants I appointed from the Church Missionary Society, have, during my absence continued improving in religion, morals, and agriculture. These have a great advantage over the other establishments" (viz: the establishments of discharged soldiers): "they not only have been a longer period under the same system, but are inhabited by a more equal proportion of women, and consequently enjoy that first basis of all civilization, Christian marriage."

Captain Trenchard of the United States Navy, commanding the *Cyane*, says, in a letter dated April 10, 1820,—“ During our stay at Sierra Leone, the European gentlemen who were residents at the place treated us with the utmost respect, striving who should be most forward in attention and hospitality. A party was formed by those gentlemen to shew our officers the interior settlements ; and, from their report on their return, I learned the extent of the colony ; and the benevolent philanthropy of the British nation in alleviating the miseries of the oppressed and ignorant Africans. Not less than 6000 captured Africans have been landed at this settlement by the British ships of war. On their arrival, those of a proper age are named and sent to the adjacent villages. A house and lot is appointed to each family ; and they are supported one year by Government, at the expiration of which they are obliged to look out for themselves. The captured children are also sent to the villages, where they are kept at school till married, which is always at an early age. At the head of each village is a missionary, who receives an annual support from the Government, and who acts in the double capacity of minister and schoolmaster.”

Sir G. Collier again says, in his report, dated 27th December, 1821,—“ In offering some remarks on the present condition of the settlements, I shall commence with Sierra Leone, considering it has the most important under the immediate controul of his Majesty's Government upon the coast of Western Africa.

“ The public buildings have not advanced so rapidly, I believe as had been expected ; but it is nevertheless gratifying to observe, that the roads in the neighbourhood of Free Town, and those on the mountains, have been much improved, and that the bridges have been constructed of more durable materials than heretofore.

Considerably more ground has been cleared in the environs of the mountains: numerous stone and brick houses are supplying the places of the former wooden habitations in Free Town: population increases; and British adventurers shew less dread of the climate and pestilential vapours from the surrounding creeks."

Again, Sir G. Collier says—"Upon the whole, Sierra Leone may be said to be improving; and if the encouragement hitherto shewn shall be continued to the British merchant, no reason appears to me why this colony shall not, in the course of time, amply repay the anxiety and care, and the expense so liberally bestowed by the mother country."

"Every year some new prospect of improvement opens to the merchant. An intercourse with the interior of Africa now fairly promises ultimate success, and which must be productive of benefit to Great Britain; and it may be even expected, that some years hence, caravans shall resort to the neighbourhood of Port Logo (on a branch of the Sierra Leone), to convey articles of British manufacture into the very interior of the continent of Africa."

The Rev. W. Johnson, in a letter, dated 27th December 1821, says (speaking of Regent's Town), "The schools are in a promising state: 665 scholars attend day and evening schools: of this number about 500 attend regularly, the rest occasionally. Some adults have left school, being able to read the Bible tolerably well."

Captain H. Tanner (previously mentioned) says, in a letter dated 7th March 1822,—"I visited the colony of Sierra Leone in the year 1817. My stay among the recaptured Negroes in the mountains then was very short, but sufficient to ascertain they were involved in heathen darkness and barbarity."

"Having again visited them in December 1821, I am able in some measure to estimate the great change since the former period; both in a moral and religious point of view, through the exertions of your missionaries, and the blessing of Almighty God upon their labours, without which all would have been ineffectual."

"Regent's Town, under the direction of the Rev. Mr. Johnson, was then but thinly inhabited. I received the sacrament from his hands, with about twelve communicants, the first seals to his ministry. Very few attended Divine service."

"In contrasting its then condition with the present, I must

confess, a just description cannot be given without the appearance of exaggeration."

The following extract is from the Sierra Leone Gazette of February 10, 1823.—"It may be added as a fact, which will not be shamed on comparison with corresponding matters in many of the populous, wealthy, and respectable parishes in the United Kingdom, that the collection made at the late annual meeting of the Auxiliary Church Missionary Society at Kissey, was little short of one hundred pounds, and that the further contributions in Free Town amounted to full forty pounds more; the distance of the place having prevented the contributors from being present at the meeting, which, notwithstanding was so numerous as to fill the spacious church of that place. A considerable number of the most respectable Europeans of both sexes attended."

William Singleton, the Quaker, says—"The population of Regent Town is about one thousand three hundred and fifty: of this number seven hundred are able to provide for themselves and families, by means of their farms. One man sold the produce of his little spot last year, for fifty pounds; and the quantity of cassada sold then was ten thousand bushels.

"A small market is held each day; but seventh day (Saturday) is the principal one. Five oxen are weekly consumed, besides pork.

"The people, with a few exceptions, are industrious, as may be seen by the improved houses they build for themselves; by their furniture, all of their own making; and by the neatness and cleanliness of their habitations. In several houses are sofas, covered with clean print, or the country cloth; tables and forms, or chairs; and, especially, I noticed in each house, a corner cupboard, with its appropriate crockery ware. The beds and sleeping rooms are remarkably neat and clean. A few of the inhabitants, more ingenious or richer than the rest, are building houses of board, with stores below and piazzas in front."

Lastly, Major Gray, who was long in Africa, says, in his work, p. 332,—"His Excellency Sir Charles MacCarthy who had just arrived from England, was then about visiting some of the

liberated Negro establishments in the country towns, accompanied by all the civil and military staff of the colony.

"I felt too much concern in the welfare of those truly interesting objects not to make one of the party; and therefore had an opportunity of witnessing the wonderful improvements that had taken place in every town since I had before seen them: indeed, some having all the appearance and regularity of the neatest village in England, with church, school, and commodious residences for the missionaries and teachers, had not, in 1817, been more than thought of.

"Descending some of the hills, I was surprised on perceiving neat and well laid out villages in places where, but four years before, nothing was to be seen except almost impenetrable thickets; but arriving in those villages, the beauty and interesting nature of such objects was much enhanced by the clean, orderly, and respectable appearance of the cottages and their inhabitants, particularly the young people and children, who, at all the towns, assembled to welcome with repeated cheers the return of their governor and daddy (father), as they invariably styled his excellency, who expressed himself highly pleased at their improvements during his absence; in which short period large pieces of ground had been cleared and cultivated in the vicinity of all the towns, and every production of the climate raised in sufficient abundance to supply the inhabitants and furnish the market at Free Town. His Excellency visited the schools at the different towns, and witnessed the improvements which all the students had made, but particularly those of the high school at Regent Town, whose progress in arithmetic, geography and history, evinced a capacity far superior to that which is in general attributed to the Negro, and proves, that they may be rendered useful members of society, particularly so in exploring the interior of the country, having previously received the education calculated to that peculiar service.

"From the change which has taken place in those villages since I saw them in 1817, I am satisfied that a little time is alone necessary to enable the colony of Sierra Leone to vie with many of the West-Indian Islands, in all the productions of tropical climates, but particularly in the article of coffee, which has been already raised there, and proved, by its being in demand in the English market, to be of as good, if not superior, quality to that

imported from our other colonies. That the soil on the mountains is well adapted to the growth of that valuable berry, has been too well proved by the flourishing state of some of the plantations in the immediate vicinity of Free Town, to need any comment of mine. Arrow root has also been cultivated with advantage, on some of the farms belonging to private individuals; and there can be no doubt of the capability of the soil to produce the sugar cane, as some is already grown there; but whether it is of as good a description as that of the West Indies, I cannot pretend to say, as the experiment had never been tried at Sierra Leone, at least to my knowledge. The cultivation of all these, with the cotton, indigo, and ginger, could here be carried on under advantages which our West-India Islands do not enjoy; namely, the labour of free people, who would relieve the mother country from the apprehensions which are at present entertained for the safety of property in some of those islands, by revolt and insurrection amongst the slaves, and from the deplorable consequences of such a state of civil confusion: those people would, by receiving the benefits arising from their industry, be excited to exertions that must prove beneficial to all concerned in the trade and conducive to the prosperity of the colony itself."

AN ADDRESS

TO

R. W. HORTON, ESQ. M.P.

UNDER SECRETARY OF STATE . .
FOR THE COLONIAL DEPARTMENT,

ON THE BILL TO BE INTRODUCED BY HIM
INTO PARLIAMENT,

FOR

ALIENATING THE CLERGY LANDS

IN UPPER CANADA.

LONDON:

PRINTED BY A. J. VALPY;

AND SOLD BY SHERWOOD AND CO. PATERNOSTER ROW;
AND ALL BOOKSELLERS IN TOWN AND COUNTRY.

1827.

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SIR,

The attention of the government and people of Great Britain have of late been directed to provinces of Upper and Lower Canada; and importance and value of these appendages to imperial crown are now beginning to be appreciated. The commerce of that country has been freed from a great portion of the shackles which it had been for a long time fettered; for the encouragement of its agriculture have lately passed; canals to connect the lakes and open the navigation of the River St. Lawrence have been begun; and a joint-stock company been formed for the purchase, improvement, settlement of the crown reserves in the province, from whose labours it carried on

ADDRESS, &c.

SIR,

THE attention of the government and people of Great Britain have of late been directed to the provinces of Upper and Lower Canada; and the importance and value of these appendages to the imperial crown are now beginning to be appreciated. The commerce of that country has been freed from a great portion of the shackles with which it had been for a long time fettered: laws for the encouragement of its agriculture have been lately passed; canals to connect the lakes and to open the navigation of the River St. Laurence have been begun; and a joint-stock company has been formed, for the purchase, improvement, and settlement of the crown reserves in the upper province, from whose labours, if carried on with

spirit and liberality, the most beneficial results may be expected. The province itself is gifted with greater natural capabilities than any other country of equal extent in the known world. It is blessed with a rich and fertile soil, and a most genial climate; and it requires only inhabitants, and capital to call its energies into action, to make it, in a short time, one of the most flourishing parts of the British empire.

To Earl Bathurst, secretary for the colonial department, the upper province has, I believe, been indebted for a great part of the benefits and advantages it has of late obtained; and it is also under considerable obligations to you, sir, for the zeal and assiduity with which you have followed up these views of his lordship, and for the time you have devoted, and the trouble you have taken in bringing them to maturity. Satisfied as I am of these facts, I feel convinced that when you last week asked leave to introduce a bill into parliament, for the disposal of the clergy lands in the upper province, you did it from the purest motives, and from a positive conviction that you were thereby promoting the best interests of the colony.

I beg it therefore to be perfectly understood, that in differing from you on this subject, I have not the smallest intention to impugn your motives, or to impute any improper ones to you. I feel convinced that you have been misinformed or

misled ; as I am perfectly aware that situated, as you are, with such a multiplicity of business on your hands, it is quite impossible for you to examine every thing yourself, and that you must therefore depend upon others for a great part of the requisite information.

Not Neither do I find fault with the general object you have in view. I am as much convinced as any man at all acquainted with the province can be, of the great benefit it would derive from the improvement and cultivation of the clergy reserves ; it is therefore only to the exclusive application of the fund accruing from the disposal of these reserves, as proposed by you, that I object.

I do not think that you are borne out in that particular application by the act of parliament to which you referred. This I conceive to be a striking illustration of what I have stated, as to your having been misinformed or misled : I am satisfied, that if you had read the act of parliament of 1791 yourself, you would not have given the reply which you are reported to have done to a question put by Mr. Baring ; his question was—“ Whether these clergy reserves were intended solely for the Church of England ? ” Your reply is said to have been, “ Undoubtedly the act of 1791 provided and enacted, that one-seventh out of every grant of land should be reserved for the Church of England.” Mr. Baring again asked—

"And these reserves therefore are to be considered as the property of the Church of England?" You replied, "Yes; according to the act of 1791." "Now, sir, I do repeat that if you had read the act of 1791, you would not have given such an answer; you would at least have *doubted*; many others would have gone further, and would have *declared*, that it did not give the whole of these reserves to the Church of England. In proof of what I now state, I take leave to make a few observations on the clauses of the act which relate to this subject, and which will be found in the Appendix."

The first clause, which is the thirty-sixth of the act, gives a general authority to His Majesty to make a permanent appropriation of lands in the said provinces for the support and maintenance of a *protestant clergy*; and this appropriation is fixed at the one-seventh part of the lands granted; or to be afterwards granted.

The second clause directs that the rents, profits, or emoluments which may arise from such lands, shall be applicable solely to the maintenance and support of a *protestant clergy* within the province. The third, fourth, and fifth clauses give authority to the governor, or lieutenant-governor of the province, with the advice of the executive council, to build in parishes that are or may be formed, parsonages or rectories, according to the

establishment of the Church of England, to present to them incumbents or ministers of the Church of England, and to endow them accordingly.

The sixth clause provides that all the foregoing clauses may be varied or repealed by the Legislative Council and Assembly in the said province, with the consent of His Majesty.

In these clauses, there appears a marked distinction made between a *protestant clergy* and the *Church of England*: indeed, sir, I scarcely think it possible that you could take upon you to argue that by the term *protestant clergy*, Church-of-England clergy were exclusively understood. As a Scotch presbyterian I would protest most strongly against such a doctrine; I would assert that a presbyterian clergyman is as truly a protestant one, as any Church-of-England clergyman existing, and as much acknowledged by the law of the land. I do not therefore conceive that it was the intention of the framer of this act to appropriate the whole of those reserves to the clergymen of the Church of England; I think he wished to adopt a more liberal and enlarged policy. At the time the act was passed, the benefits and advantages to be derived, not merely from religious liberty, but from the equal support of Christians of all denominations, must have been evidently seen, in the case of the neighbouring country, the United States, which were then rising fast into import-

ance, in a great degree from this very circumstance, and it is therefore very natural to conclude, that it was intended to give Canada the same advantage.

The very wording of the clauses shows this in the strongest manner. The first clause is a general one: it directs generally that one-seventh of the whole lands shall be appropriated to the general support of a protestant clergy; and this is confirmed by the second (37). The third and fourth (38 and 39) are particular ones: they direct that a part of this appropriation shall be applied when required to the building of churches, and to the support and maintenance of clergymen of the Church of England. Had it been intended that the whole of this appropriation should have been exclusively devoted to the maintenance of the clergy of the Church of England, it is conceived, it would have been so expressed at once; or perhaps it would have been requisite that a clause had been introduced stating that the Church of England was to be the established religion of the colony. Now this seems to have been studiously avoided. The term *protestant clergy* has not been incidentally introduced, for it is to be found in the first clause three times; and it is repeated in the second, and again in the sixth and seventh (41 and 42 of the act); and the term *Church of England* is only mentioned in

the two clauses, where a partial appropriation of these funds are directed to the erection of a parsonage, and the endowment of an incumbent of that church.

I am aware that it may be objected to this interpretation of the act, that no other denominations of protestants are mentioned in it but those of the Church of England, and that, therefore, it is to be concluded that none other were intended. To this objection I would reply, that at the time this act passed, the inhabitants of Upper Canada were very few; indeed, until this act passed, the province of Upper Canada had no existence, for it was included in the province of Quebec; and the inhabitants being few, consisting principally of the loyalists who had been driven out of the United States at the peace of 1783, the variety of the denominations of Christians must have been few and inconsiderable; and, therefore, it had been deemed sufficient to provide for those of the Church of England, leaving to the Legislative Council and Assembly, with the consent of His Majesty, to provide for the other denominations of protestants, when it might be found necessary to do so. This is most strongly supported by the last clause quoted in the Appendix (being the forty-second of the act), which, in directing that any laws made in the province to vary or repeal any of the clauses in this act, should be submitted to the Houses of Parliament of Great Britain,

before receiving His Majesty's assent; among many other matters it is expressly stated, "or shall in any manner relate to the granting, imposing, or recovering any other dues, or stipends, or emoluments whatever, to be paid to or for the use of any minister, priest, ecclesiastic, or teacher, according to any religious form or mode of worship, in respect of his said office or function." Now, I cannot conceive what interest or concern the Legislative Assembly of Upper Canada, or the Houses of Parliament of Great Britain, could have with the dues, stipends, or emoluments, to be paid to any minister, priest, or ecclesiastic, unless the same were to be paid out of the appropriation of lands, for the support and maintenance of a *protestant clergy*.

This clause is immediately followed by another: "or shall in any manner relate to or affect the establishment or discipline of the Church of England amongst the ministers and members thereof within the said provinces," thus evidently showing, that the framers of this act, although anxious to support the Church of England in the province, only regarded it as *one* of the denominations of the protestant clergy within the province, and not as the *sole* one.

As a most convincing proof that I am not singular in my explanation of this act of parliament, I have only to refer to what is passing at this moment in the province of Upper Canada itself.

At the very time that you are introducing to the Imperial Parliament, an act to put the clergymen of the Established Church of England in that province, in possession of these lands, the Legislative Assembly of the province are availing themselves of the authority given them by the act of parliament which has been quoted, to pass a bill to dispose of those lands, and to apply the proceeds "to increase the provincial allowance, for the support of district and common schools, for the endowment of a respectable seminary for learning, and in aid of erecting places of public worship *for all denominations of Christians*.*

The motion for bringing in this act was made in the Legislative Assembly of the Upper Province on the 6th January last.

Having thus shown pretty clearly that you are not borne out in appropriating the whole of these lands exclusively to the use of the clergy of the Church of England, by the act of parliament to which you have referred, I shall now proceed to discuss a more important point, to examine in what manner this measure will be received by the present inhabitants of the colony, in what light it will be viewed by them, and what effect it will have upon the future prosperity of the colony, should it be carried into execution.

It has been already mentioned, that at the time

* A copy of the resolutions passed on this occasion will be found in the Appendix, No: 2.

this act of 1791 was passed, there were few settlers
 in Upper Canada: since that period the influx has
 been very great, and its population is now esti-
 mated at above 200,000. By far the greatest part of
 these are Scotch Presbyterians, English Dissenters,
 and Irish Roman Catholics. The numbers of the
 Church of England being calculated not to exceed
 one-tenth part of the whole, by nine-tenths of the
 present inhabitants of the colony, this measure
 will therefore be reprobated and opposed in the
 strongest manner. As a proof of this, it is only
 necessary to refer to the document already quoted,
 and to be found in the Appendix; viz. the resolu-
 tions moved and carried in the Legislative Assem-
 bly of the colony. These resolutions were carried
 by a majority of 27, being 30 ayes to 3 noes: which
 may be taken as a strong corroboration of the
 above calculation, that the members of the Church
 of England are not one-tenth part of the inhabitants
 of the colony. If, therefore, you persist in intro-
 ducing the bill, and carrying it through parlia-
 ment, the colony will be thrown into a state of
 ferment; and it is impossible to say what the
 consequences may ultimately be. (1791) At all events, this measure will have a most fatal
 effect upon the future prosperity of the colony.
 One of the great inducements hitherto held
 out to parties to settle in that country has been,
 that all denominations of the Christian religion
 were not only tolerated, but supported. But this

last assertion would be completely done away with, [should a national church be established in the colony,] and have bestowed upon its exclusively the whole of those lands which have been hitherto presumed to have been intended for the support of all. In reply to this, it may be said, that all other sects will be left at full liberty to enjoy their own peculiar form of worship. In some cases this might be sufficient, in the present it is not; and I have never heard it stated without calling to recollection the reply that was made to the assertion, "that in England the law was open to all parties indiscriminately:" yes, as taverns are, to all who have money in their pockets. In the present case it is exactly similar; a poor man who cannot support himself in this country finds his way to Canada, perhaps sent out by yourself, and (there) gets a little spot of waste land, which (he has) by dint of hard labour and industry to work into cultivation, and with difficulty gain his support from. This man is told as a great consolation and inducement, that whatever denomination of Christians he belongs to, he shall be at full liberty to enjoy his own peculiar form of worship. Of what use can this be to such a man, unless the means of enjoying this form of worship be also given to him? He has most probably been set down with perhaps ten or a dozen more, equally poor as himself, in some distant part of the wilderness, where neither church or clergymen are to be found.

Is it for a moment to be supposed, that these people can have the power of building a church, or paying a stipend to a minister? If they cannot, they must remain completely destitute of all religious instruction, or change their opinions, and conform to the Established Church. Thus, in future, settlers in Upper Canada will be in no better situation than they would be, were a law passed that none should be allowed to settle there, but those who conformed to the established religion.

I do not hesitate to say, that if it were your wish and intention to put a stop to future emigration to Canada, you could not take a more effectual mode than by carrying this bill. Very numerous applications have been made by the starving manufacturers of Paisley and Glasgow to be sent out to Canada; and I see by the papers, that they are waiting with anxiety the determination of the Committee on Emigration, previous to their making further applications. I know that one of the principal motives that induce my countrymen to give the preference to Canada, is the assurance that has been repeatedly given them, that they will there not only enjoy religious liberty, but have afforded them the means of religious instruction; the passing of this bill will at once convince them that this has been a complete delusion, and that they can have no hope of any such privilege or accommodation in Canada.

Fully convinced of your good intentions in

general towards Upper Canada, I really feel reluctant to find fault with your conduct, or to call any part of it disingenuous; but justice to the cause which I have taken up forces me to say, that there is more intended in this motion of yours than meets the ear. In this enlightened age, had you brought forward a bill to make the Church of England the only established church in that province, you are aware that it would have been most strenuously opposed: you have therefore attempted to do this by a side wind; for what will this bill that you propose to bring in be, but a complete acknowledgment that the Church of England is the established religion of that country, should that bill appropriate to the use of that church alone the whole of the property that had been originally devised for the support of a protestant clergy in general? For although it is only in the first instance to authorise the disposal of half of those reserves, yet you unequivocally stated that the whole were undoubtedly the property of the Church of England. In this view of the case, I ask, was it candid in you to state in the House, "that you would not then enter into the extensive question of the condition of the protestant church in Canada; for though the honorable member for Callington (Mr. Baring) had adverted to it, it was in no way present before the House." I have no doubt that you were aware, that if that question had been fairly gone

into, such an *exposé* would have been made; as would have astonished the House, and would most probably have stopped your bill *in limine*. I cannot help here remarking a curious circumstance, if your speech has been fairly reported; if you acknowledged the existence in that country of a protestant church, of which the Church of England was only a part; although, by your explanation of the act of 1791, you deny the existence of a protestant clergy, except in the persons of the clergy of the Church of England.

I shall now take the liberty of saying a few words upon the policy of this measure. I cannot possibly define the motives that could have induced you to entertain an idea of such a step; you do not seem to be at all aware, that so far from being in accordance with the bill of 1791, it is in perfect opposition to it, and completely does away with all its regulations with regard to those lands. That bill sedulously guarded against putting them into the power of any clergymen whatever: they were left entirely at the disposal of the lieutenant-governor and executive council of the province, who were authorised and directed, whenever a clergyman was required in a township, or parish, to apply part of those lands to the building of a parsonage, or rectory, and to the endowment of the clergyman. Now, sir, what is it you propose to do? To throw at once the whole of them into the hands and power of a very few

clergyman of the Church of England at present established there. II Their number, I believe, to be twenty-two or twenty-three; and the lands to be given up to them are nearly equal in quantity, and far superior in richness and fertility, to all the arable lands of Scotland. Certainly a most magnificent gift; but for what purpose, or to what good end, I cannot conceive. Indeed, I do not see the necessity or propriety of selling these lands at all: the clergy do not require capital, but income; and I have understood that they have been allowed to let them, or part of them, upon lease: for which purpose an establishment, called the clergy corporation, has been appointed; how, or by whom, I do not know, nor can I get any authentic information; but I observe that it is to it you mean to give the charge and disposal of these lands. This, I conceive to be a most dangerous step: I trust I shall not be deemed invidious or narrow-minded in making this assertion. The experience of all ages has shown the fatal effects of clergymen being allowed to intermeddle with, or have any power over temporal affairs: and, as already stated, this is perfectly in opposition to the spirit and enactments of the act of 1791.

By this measure, the government of that province will be completely deprived of all power of providing for the clergymen of any other persuasion; however circumstances may occur imperiously to call for such a step. It will also be

deprived of the power of providing the means of public instruction, a measure most particularly required in the colony, and the want of which will be of the most serious consequences. In 1820, I cannot help remarking upon the very extraordinary period which you have chosen for bringing these lands into the public market. Previous to the year 1824, Government were in the habit of giving away the lands in Upper Canada to whoever applied for them, upon paying certain fees. In that year you entered into a negociation with the Canada Company, for the disposal of two million and a half of acres, that sale has since been concluded; and this Company, in order to reimburse themselves, must bring these lands into the market. The lieutenant-governor of the province has, it would appear, received instructions to give away no more lands, but to sell as many as he can upon certain terms, which have been advertised by him in all the Canada newspapers for these eighteen months past. Thus two opposite parties are already in that market offering lands for sale; and now, sir, you want to throw a third into it, in the shape of this clergy corporation, and that in a country where, hitherto, land has been thought dear enough when got for nothing, but the expense of clearing and bringing it to cultivation. This is literally and truly killing the goose that laid the golden eggs. If a proper arrangement was made

for the letting of those lands, a sufficient, nay, a handsome income for the clergy at present in the country might soon be obtained, and this might be increased by the letting of more, when found necessary, while their value in a few years, would be increased beyond calculation or belief. If they are thrown into the market at the present moment, and a sale of them is forced, they will fetch little or nothing, and the views of the clergy, corporation will be completely frustrated; Government will be disappointed in the expectation of the sales to be made by the lieutenant-governor, of the province, and the Canada Company must be materially hurt. Indeed, the effects of this measure will be much more fatal than might be supposed to follow the throwing an additional eight hundred thousand acres into the market, because it will not merely be affected by the additional quantity thus offered for sale, but by the circumstance, as already stated, of the diminution of purchasers, in consequence of the great inducement to emigrate to that country being cut off. It has been alleged, that the Canada Company have an additional complaint to make against you, that of having broken your faith with them. It has been asserted that after having positively sold them those very lands you now propose to offer for sale, they were taken back, and a territory in the wilderness given instead, accompanied

with an engagement, promise, or understanding, that these clergy lands should not be allowed to be sold for some years. With this, however, I have nothing to do; it is upon general principles that I take up the case; and I shall leave the Canada Company to fight their own battles with you themselves.

Having thus endeavoured to show that neither the people of the country, the prosperity of the country, nor the policy of the country, are in favour of the measure you propose, or will be benefited by it,—I shall now take the liberty to point out what appears to me to be the course that ought to be adopted in regard to those lands, so as to render them of the greatest benefit to the colony, and most conducive to its future prosperity.

When Mr. Pitt introduced the bill of 1791, it appears to have been his decided intention, that there should be no established religion in Canada alone to be provided for by the Government, but that assistance and support should be given to all sects of Protestant Christians indiscriminately. If such was his feeling at that time, how much more so would it be at present, were he alive to follow up the plans which his able, comprehensive, and liberal mind had suggested! If, at that period, he saw the propriety of not making the Church of England the established religion of that country, how much more would he be determined against

it now, when he found that that profession was confined to less than a tenth part of the inhabitants of the province! When the whole, or even the greatest proportion of the inhabitants of a country, are of one profession of religion, it is probable that no very great practical evil will result from making that one the established religion of the country, although, even in such a case, I do not hesitate to say that the future prosperity of the country may be injured. But to establish in any country a religion which is not that of nine-tenths of the inhabitants, is completely sealing the fate of that country. Of this we have a very strong, and a very melancholy instance near at home, in the case of Ireland; but on this subject I dread giving way to my feelings, for fear of saying too much. I shall, therefore, content myself with calling upon you, sir, who are a professed advocate for the Catholic Claims, to desist from attempting to involve Upper Canada in the distress and confusion in which Ireland has been placed ever since it got an established religion different from that of nineteen-twentieths of its inhabitants.

The extraordinary rise and progress of the United States without any established religion, should be a strong inducement to continue in Upper Canada the same system more especially as the probability is, that if the arrangement you meditated be carried into execution, not only will

the emigrants, who would otherwise have gone to that province, give the preference to the United States, but a great many of those who are already settled in Canada will throw up their possessions, and retire into the States also.

To obviate this, I should take leave to propose, that these clergy reserves be returned to the custody of those under whose charge they were originally placed; viz. the lieutenant-governor and executive council; that they should be applied exclusively to the benefit of the township in which they are situated; that whenever an application is made by a sufficient number of inhabitants of a township, professing to be of one denomination of Christians, whatever that may be, to the lieutenant-governor and council, they should immediately direct that a certain number of lots of the clergy reserves in that township be disposed of, to raise funds to build a church and house for the clergyman, to whom one lot should also be appropriated as glebe; the applicants binding themselves, if it be found necessary, to provide a certain definite income for the clergyman. Should an application be made for a school and a master, the same process should be adopted, but on a more limited scale; reserving always to the lieutenant-governor and council the right of examining into those applications, and determining whether the applicants were entitled to what they claimed.

The reserves are scattered all over the province; they are to be found in every township: and it appears evidently to have been the intention of the framer of the act, that the reserves in each township should be applied to the benefit of that township. This would be completely provided for by what I have just proposed; and the inhabitants would not only have the satisfaction of having these reserves cultivated, but of seeing them appropriated to the purposes for which they were originally intended; the connexion between the inhabitants and the clergymen would be kept up; they would feel an interest in him, and he in their prosperity, both spiritual and temporal. Whereas, were the scheme that you have brought forward carried into execution, if I understand it right, the whole proceeds would be thrown into one general mass, out of which clergymen of the Church of England appointed, or to be appointed, to the different districts or townships, would be paid; and thus clergymen would be sent to a part of the country where they had no connexions, or even, probably, acquaintance; and being quite independent of their flock, without any inducement to form an intimate connexion with them, they would pay them little or no attention, more especially if the greater part of that flock consisted of parties not attached to the Church of England.

I think I have said enough to show the object

at which I aim ; and I shall, therefore, conclude with apologising for taking this public mode of addressing you, as, not having the honour of being known to you, I had no other method of making my sentiments known, or having any attention paid to them. I have also to apologise for the hasty and imperfect manner in which this has been drawn up : the necessity of dispatch, and the short intervals of leisure allowed me by a laborious employment, have prevented my paying that attention to the composition, and the arrangement of the argument, that the importance of the subject deserved, and which would have made it more worthy your attention.

I have the honour to be, Sir,

Your most obedient servant,

A SCOTCH PRESBYTERIAN,
AND A WELL-WISHER TO UPPER CANADA.

APPENDIX I.

*Clauses of the Act of 31st George III. referred to
in page 6.*

XXXVI. AND whereas His Majesty has been graciously pleased, by message to both Houses of Parliament, to express His Royal desire to be enabled to make a permanent appropriation of lands in the said provinces, for the support and maintenance of a Protestant clergy within the same, in proportion to such lands as have been already granted within the same by His Majesty: And whereas His Majesty has been graciously pleased, by his said message, further to signify His Royal desire that such provision may be made, with respect to all future grants of land within the said provinces respectively, as may best conduce to the due and sufficient support and maintenance of a Protestant clergy within the said provinces, in proportion to such increase as may happen in the population and cultivation thereof: Therefore, for the purpose of more effectually fulfilling His Majesty's gracious intentions as aforesaid, and of providing for the due execution of the same in all time to come, be it enacted by the authority aforesaid, That it shall and may be lawful for His Majesty, his heirs or successors, to authorise the Governor or Lieutenant-Governor of each of the said provinces respectively, or the person admi-

nistering the government therein, to make, from and out of the lands of the crown within such provinces, such allotment and appropriation of lands, for the support and maintenance of a Protestant clergy within the same, as may bear a due proportion to the amount of such lands within the same as have at any time been granted by or under the authority of His Majesty: And that whenever any grant of lands within either of the said provinces shall hereafter be made, by or under the authority of His Majesty, his heirs or successors, there shall at the same time be made, in respect of the same, a proportionable allotment and appropriation of lands for the above-mentioned purpose, within the township or parish to which such lands so to be granted shall appertain or be annexed, or as nearly adjacent thereto, as circumstances will admit; and that no such grant shall be valid or effectual unless the same shall contain a specification of the lands so allotted and appropriated, in respect of the lands to be thereby granted; and that such lands, so allotted and appropriated, shall be, as nearly as the circumstances and nature of the case will admit, of the like quality as the lands in respect of which the same are so allotted and appropriated, and shall be, as nearly as the same can be estimated at the time of making such grant, equal in value to the seventh part of the lands so granted.

XXXVII. And be it further enacted by the authority aforesaid, That all and every the rents, profits, or emoluments, which may at any time arise from such lands so allotted and appropriated as aforesaid, shall be applicable solely to the maintenance and support of a Protestant clergy within the province in which the same shall be situated, and to no other use or purpose whatever.

XXXVIII. And be it further enacted by the autho-

erty aforesaid, That it shall and may be lawful for His Majesty, his heirs or successors, to authorise the Governor or Lieutenant-Governor of each of the said provinces respectively, or the person administering the government therein, from time to time, with the advice of such executive council as shall have been appointed by His Majesty, his heirs or successors, within such province, for the affairs thereof, to constitute and erect within every township or parish which now is or hereafter may be formed, constituted, or erected within such province, one or more parsonage or rectory, or parsonages or rectories, according to the establishment of the Church of England; and from time to time, by an instrument under the great seal of such province, to endow every such parsonage or rectory with so much or such part of the lands so allotted and appropriated as aforesaid, in respect of any lands within such township or parish, which shall have been granted subsequent to the commencement of this Act, or of such lands as may have been allotted and appropriated for the same purpose, by or in virtue of any instruction which may be given by His Majesty, in respect of any lands granted by His Majesty before the commencement of this Act, as such Governor, Lieutenant-Governor, or person administering the government, shall, with the advice of the said executive council, judge to be expedient under the then existing circumstances of such township or parish.

XXXIX. And be it further enacted by the authority aforesaid, That it shall and may be lawful for His Majesty, his heirs or successors, to authorise the Governor, Lieutenant-Governor, or person administering the government of each of the said provinces respectively, to present to every such parsonage or rectory an incumbent

or minister of the Church of England, who shall have been duly ordained according to the rites of the said Church, and to supply from time to time such vacancies as may happen therein; and that every person so presented to any such parsonage or rectory, shall hold and enjoy the same, and all rights, profits, and emoluments thereunto belonging or granted, as fully and amply, and in the same manner, and on the same terms and conditions, and liable to the performance of the same duties, as the incumbent of a parsonage or rectory in England.

XL. Provided always, and be it further enacted by the authority aforesaid, That every such presentation of an incumbent or minister to any such parsonage or rectory, and also the enjoyment of any such parsonage or rectory, and of the rights, profits, and emoluments thereof, by any such incumbent or minister, shall be subject and liable to all rights of institution, and all other spiritual and ecclesiastical jurisdiction and authority, which have been lawfully granted by His Majesty's Royal Letters Patent to the Bishop of *Nova Scotia*, or which may hereafter, by His Majesty's Royal authority, be lawfully granted or appointed to be administered and executed within the said provinces, or either of them respectively, by the said Bishop of *Nova Scotia*, or by any other person or persons, according to the laws and canons of the Church of England, which are lawfully made and received in England.

XLI. Provided always, and be it further enacted by the authority aforesaid, That the several provisions hereinbefore contained, respecting the allotment and appropriation of lands for the support of a Protestant clergy within the said provinces, and also respecting the constituting, erecting, and endowing parsonages or rectories within the said provinces, and also respecting the pre-

resentation of incumbents or ministers to the same, and also respecting the manner in which such incumbents or ministers shall hold and enjoy the same, shall be subject to be varied or repealed by any express provisions for that purpose, contained in any Act or Acts which may be passed by the legislative council and assembly of the said provinces respectively, and assented to by His Majesty, his heirs or successors, under the restriction hereinafter provided.

XIII. Provided nevertheless, and be it further enacted by the authority aforesaid, That whenever any Act or Acts shall be passed by the legislative council and assembly of either of the said provinces, containing any provisions to vary or repeal the above-recited declaration and provision contained in the said Act passed in the fourteenth year of the reign of His present Majesty; or to vary or repeal the above-recited provision contained in His Majesty's Royal instructions, given on the third day of January, in the year of our Lord one thousand seven hundred and seventy-five, to the said *Guy Carleton*, esquire, now Lord *Dorchester*; or to vary or repeal the provisions herein-before contained for continuing the force and effect of the said declaration and provisions; or to vary or repeal any of the several provisions herein-before contained respecting the allotment and appropriation of lands for the support of a Protestant clergy within the said provinces; or respecting the constituting, erecting, or endowing parsonages or rectories within the said provinces; or respecting the presentation of incumbents or ministers to the same; or respecting the manner in which such incumbents or ministers shall hold and enjoy the same: And also that whenever any Act or Acts shall be so passed, containing any provisions which shall in any manner relate to or

affect the enjoyment or exercise of any religious form or mode of worship; or shall impose or create any penalties, burthens, disabilities, or disqualifications in respect of the same; or shall in any manner relate to or affect the payment, recovery, or enjoyment of any of the accustomed dues or rights herein-before mentioned; or shall in any manner relate to the granting, imposing, or recovering any other dues, or stipends, or emoluments whatever, to be paid to or for the use of any minister, priest, ecclesiastic, or teacher, according to any religious form or mode of worship, in respect of his said office or function; or shall in any manner relate to or affect the establishment or discipline of the Church of England, amongst the ministers and members thereof within the said provinces; or shall in any manner relate to or affect the King's prerogative touching the granting the waste lands of the crown within the said provinces; every such Act or Acts shall, previous to any declaration or signification of the King's assent thereto, be laid before both Houses of Parliament in *Great Britain*; and that it shall not be lawful for His Majesty, his heirs or successors, to signify his or their assent to any such Act or Acts, until thirty days after the same shall have been laid before the said Houses, or to assent to any such Act or Acts, in case either House of Parliament shall, within the said thirty days, address His Majesty, his heirs or successors, to withhold his or their assent from such Act or Acts; and that no such Act shall be valid or effectual to any of the said purposes, within either of the said provinces, unless the legislative council and assembly of such province shall, in the session in which the same shall have been passed by them, have presented to the governor, lieutenant-governor, or person administering the government of such

province, an address or addresses, specifying that such Act contains provisions for some of the said purposes herein-before specially described, and desiring that, in order to give effect to the same, such Act should be transmitted to *England* without delay, for the purpose of being laid before Parliament previous to the signification of His Majesty's assent thereto.

APPENDIX II.

UPPER CANADA.

RESOLUTIONS ON THE CLERGY RESERVES.

[These resolutions, as proposed by Mr. MORRIS, were adopted with only two amendments, which we have put in Italics—see 2d and 5th.—]

1st.—Resolved, that the despatch of the Right Hon. Earl Bathurst, His Majesty's Principal Secretary of State for the Colonies, communicated to this House on the 12th instant, by his Excellency the Lieutenant-Governor, in answer to the address to His Majesty of this House at its last session, respecting the Clergy Reserves, is unsatisfactory to this Assembly, inasmuch as it is silent on a material part of the respectful representation of this House, contained in the said address.

2d.—Resolved, the Imperial Parliament, by conferring on the people of Upper Canada a constitution, in *many* important respects, similar to that enjoyed by the inhabitants of the parent state, was desirous of promoting the happiness and prosperity of all persons who might become resident in the colony.

3d.—Resolved, that the appropriation of a seventh of all the surveyed lands within the province, for the sup-

port and maintenance of a Protestant clergy, is a striking manifestation of the paternal regard of the government of the mother country to all His Majesty's subjects, and with power by the assembly to legislate thereon, a most important part of the said constitution.

4th.—Resolved, that the Imperial Parliament foresaw the probability of circumstances in the condition of the inhabitants of this colony, which might render an alteration in the law, with respect to the clergy reservation expedient, and wisely left the Provincial Parliament at liberty to make such changes therein as the future state of society might require.

5th.—Resolved, that the construction given to the Imperial Act, which appropriates the clergy reserves, by individuals connected with the Church of England; and the determination of the clergy of that church to withhold from all other denominations of Protestants residing within the province, the enjoyment of any part of the benefits arising, or which may arise from the lands so set apart, call for the immediate attention of the Provincial Legislature to a subject of such vital interest to the public in general, and that such claim by the Protestant Episcopal Church is contrary to the spirit and meaning of the 31st Geo. 3d, and most injurious to the interests and wishes of the province.

6th.—Resolved, that a comparatively small proportion of the inhabitants of Upper Canada are members of the Church of England, and therefore ought not in justice to desire the sole enjoyment by their clergy, of all the advantages which these lands present, to the exclusion of their fellow-subjects, although equally loyal, and firm in their attachment to His Majesty's government and the constitution.

7th.—Resolved, that in a thinly inhabited country such

as Upper Canada, where the means of moral instruction to the poor are not easily obtained, it is the bounden duty of the Parliament to afford every assistance within its power towards the support of education.

8th.—Resolved, that the present provision for the support of district and common schools, is quite inadequate to the wants of the people, and ought, by every reasonable exertion, to be increased so as to place within the reach of the poorest inhabitant the advantages of a decent education.

9th.—Resolved, that it is the opinion of a great proportion of the people of this province, that the clergy lands, in place of being enjoyed by the clergy of an inconsiderable part of the population, ought to be disposed of, and the proceeds of their sale applied to increase the provincial allowance for the support of district and common schools, and the endowment of a respectable provincial seminary for learning, and in aid of erecting places of public worship for all denominations of Christians.

10th.—Resolved, that it is expedient to pass a bill, authorising the sale of all the clergy lands within this province, for the purpose set forth in the foregoing resolution; and to address His Majesty, humbly soliciting that he will be graciously pleased to give the royal assent to the said bill.

11th.—Resolved, that the chairman be instructed to move the House for the appointment of a select committee to draft a bill pursuant to the last resolution.

On the motion of *Mr. Relph*, that it should be resolved that the members of the Protestant Episcopal Church in this province bear a very small proportion to the numbers of other Christians, notwithstanding the pecuniary

aid long exclusively received from the benevolent society
in England by the members of that church and their pre-
tensions to a monopoly of the clergy reserves--the House
divided.--*Yeas 30, Nays 3*--carried by 27.

THE END.



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